

State of Alaska FY2002 Governor's Operating Budget

Department of Law

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Department Mission

The mission of the Department of Law is to provide legal services to state government and to prosecute crime.

Department Goals and Strategies

CRIMINAL DIVISION:

PROTECT THE PUBLIC THROUGH EFFECTIVE PROSECUTION SERVICES.

- Assist law enforcement agencies with criminal investigations by providing legal and tactical advice.
- Serve as legal advisor to grand juries and represent the state in all phases of criminal trial and appellate proceedings.
- Effectively prosecute domestic violence and crimes against children.
- Effectively prosecute those who drive while under the influence of alcohol or drugs.
- Reduce the number of alcohol-related offenses through the prosecution of those who import alcohol into dry communities.
- Reduce fraud in benefit programs.

CIVIL DIVISION:

PROVIDE EFFECTIVE LEGAL ADVICE AND REPRESENTATION OF THE STATE.

- Protect Alaska's children and youth by handling child abuse, neglect, and delinquency cases expeditiously.
- Ensure the state receives its correct share of oil and gas taxes and royalties; clarify and improve the rules governing taxpayers to reduce disputes and litigation.
- Resolve questions of state versus federal control and management of natural resources, lands, and waters.
- Increase collections of money owed the state by businesses and individuals for child support, fines, loans, and other unpaid obligations.
- Collect judgments for victim restitution and make payments to victims of crimes.
- Ensure that the department's legal review of regulations projects continues to be efficient, timely, and responsive to the needs of agencies and the public.

Key Department Issues for FY2001 – 2002

CRIMINAL DIVISION:

Maintain Focus on Prosecution of Family Violence:

The Knowles Administration has changed the way domestic violence and child abuse are handled by the police, the courts, and the agencies that are responsible for the welfare of children. Studies and experience have shown that children in homes where there is domestic violence by an adult are often victims of abuse and neglect. Studies have also shown that the children suffer emotionally by witnessing the domestic violence. These cases are often difficult to prosecute because pressure is brought to bear on victims to recant. Moreover, testifying in court can be traumatic for child victims of abuse and neglect. Because prosecution of these offenses is important for the safety of victims, the Criminal Division policy is to prosecute if there is sufficient evidence to convict, even when the victim is unable to testify or does not want the offender prosecuted.

Address Alcohol-related Offenses:

Alcohol is at the root of a number of problems in Alaska. The correlation between alcohol and crime is significant, and alcohol is related to a number of accidental deaths and injuries. In addition, many children are born with FAS or FAE because their mothers consumed alcohol during pregnancy. While the statistics are dismal, experience has shown that the rate of crime can be decreased if alcohol availability is decreased. State law gives municipalities the option of banning or limiting alcohol in their communities, and many villages have voted for that local option. In areas that have gone completely dry (by banning possession of alcohol), the level of crime falls immediately and significantly, until bootleggers start to return alcohol to the region. The Criminal Division plans to reduce violent crime, accidental deaths, and the incidence of FAS and FAE by cutting off the easy availability of alcohol through increased prosecution of bootlegging offenses.

Participate in Drug Court Project:

The Criminal Division participated in a drug court planning project with the court system, law enforcement, the Public Defender Agency, and the Department of Corrections. A drug court is designed to supervise non-violent felony offenders who commit drug offenses or drug-related offenses (such as theft to support a drug addiction). A half-time prosecutor will be assigned to a drug court that is being established in Anchorage in early 2001 with federal funds. The goals of drug court include: reducing criminal offenses committed by drug- and alcohol-addicted persons, reducing costs associated with re-arrest and confinement, introducing offenders to an ongoing process of recovery designed to achieve abstinence from intoxicants, and improving conditions for the children of addicted offenders.

CIVIL DIVISION:

Child Protection:

Child protection workloads continue to be of concern to the department. The rate of increase in the number of new cases appears to be slowing; however, existing caseloads remain high, particularly in Anchorage and Bethel. In addition, statutory changes at the state and federal level have necessitated important changes in how long children can remain in the child protection legal system, and when certain actions must occur, and they define parental responsibility more concretely. These changes move cases to conclusion faster to ensure that when reunification with the family is not in the child's best interest, the child can be made legally eligible for placement in a permanent home more quickly. The new accelerated schedules severely impact attorney workloads. Maintenance of our existing resources is necessary in order to manage this critical responsibility.

Juvenile Delinquency:

A second key issue is the juvenile delinquency workload in the Anchorage Human Services section. While the number of cases has remained relatively constant over the past three years, workload has increased 53 percent since FY 1998. Cases are more complex, often involve multiple defendants and multiple defense attorneys, and are more often going to jury trial. Most of this increase has fallen on the one position in the Anchorage section devoted to juvenile delinquency. The Anchorage juvenile delinquency caseload has been of concern for some time. In FY1999, the department requested, but did not receive, funding for an additional juvenile delinquency position. The situation has only worsened, and it is unrealistic to expect one person to be willing and able to continue to carry this heavy workload.

Cruise Ship Environmental Compliance:

Continue work with ADEC and federal authorities to improve cruiseship environmental performance and compliance.

Submerged Lands:

Continue litigation now pending in the United States Supreme Court against the United States to quiet title to submerged lands underlying the marine waters within the boundaries of the Tongass National Forest and Glacier Bay National Park.

Subsistence:

Defend the state's regulatory authority with respect to subsistence uses of fish and game in light of the federal government's takeover of management of subsistence fishing on federal lands and waters.

Pacific Salmon Treaty:

Work to protect the state's interests in connection with the implementation of the 1999 amendments to the Pacific Salmon Treaty and related issues concerning the application of the Endangered Species Act and the treaty fishing rights of certain Northwest Indian tribes to Alaska fisheries.

Access Issues:

Continue work to clarify and protect public rights of access and use on land and water, including RS 2477 and navigability issues.

Endangered Species Act Issues:

Work to protect the state's interests concerning the efforts of the National Marine Fisheries Service to protect Columbia River fall chinook by restricting chinook salmon harvest in Alaska. Work to protect the state's interests in connection with proposals to list Cook Inlet beluga whales under both the federal and state Endangered Species Acts. Work to protect the state's interests concerning the impact of pollock and herring fisheries on endangered Steller sea lions.

Consumer Protection and Antitrust Enforcement:

Alaska is a target state for many types of consumer fraud, among them telemarketing, prizes and sweepstakes, deceptive home business opportunity sales, automobile sales and service, and a variety of retail sales and services. Under the terms of the Alaska Consumer Protection Act, the Attorney General's office is authorized to investigate and bring enforcement action against businesses that engage in unfair or deceptive trade practices. Given the current resources and the large areas of enforcement the office is responsible for, we are still forced to turn away many legitimate cases of consumer fraud. Enforcement activities are directed to situations affecting a large number of consumers or involving large dollar amounts, and often there are not enough resources for those cases. However, we have been able to increase enforcement activity because of additional statutory designated program receipt resources appropriated to the Civil Division in FY2000. Using existing resources, the department also has furthered current consumer protection activities by updating and refining the consumer complaint packet and the consumer complaint database and by establishing a consumer protection web page. The department will continue to take appropriate steps to ensure receipt of SDPR on a regular basis in FY2002 to help fund the consumer protection program.

Oil and Gas Law and Policy:

Continue to work with the Departments of Revenue and Natural Resources to enforce laws involving oil and gas matters and resolve litigation over oil and gas issues. Monitor oil and gas pipeline tariffs and insure that the tariffs reflect proper ratemaking methodologies. Decrease the amount of new litigation and increase the incentives for new resource development in the state by becoming involved in the audit process earlier and by clarifying the interpretation of existing oil and gas leasing, development, tax, and royalty obligations.

Special Litigation:

Defend the state against claims for significant damages in a variety of cases. Continue work on appeals of decisions favoring the state in cases involving the constitutional challenge to the 1997 tort reform statutory changes and the Miller's Reach fire. Prepare the state's appeal in the case alleging a negligent search and rescue response by Alaska State Troopers.

Public Safety Funding Challenge:

Defend the state against a lawsuit brought by several villages and residents that asserts public safety in rural Alaska is inadequate and violates the state and federal constitutions.

Kasayulie School Facilities Funding Case:

Continue work to resolve the lawsuit brought by rural school districts and parents concerning state funding of school construction and major maintenance projects in rural Alaska, and provide legal assistance on development and implementation of funding mechanisms.

Major Department Accomplishments in 2000

CRIMINAL DIVISION:

- Prosecuted Medicaid Provider Fraud: Obtained restitution and civil and criminal fines totaling over \$1 million.
- Defended Statutes: Successfully defended the constitutionality of the sex offender registration law in the federal district court; successfully defended the manslaughter statute against a claim by advocates of physician-assisted suicide.
- Training for Prosecutors and Paralegals: Prosecutors and paralegals attended a 3-day training focusing on domestic violence and sexual assault.
- Volunteer Program: Volunteers devoted more than 3500 hours notifying victims of court proceedings and their rights.

CIVIL DIVISION:

- Participated in interagency effort on the Balloon Project to reduce backlog of children in foster care longer than new state and federal laws permit. As of October 15, 2000, 81 percent of these children were in a permanent placement, and in another 13 percent of the cases, the legal work to free these children for adoption is complete.
- Achieved settlement with Royal Caribbean Cruise Lines relating to illegal discharges of oil and hazardous substances. Under the settlement, the state oil and hazardous substance response fund received \$725,000. In addition, \$2.1 million in spill response materials were made available to the state, a \$250,000, five-year cruise ship opacity monitoring program was initiated, and a \$250,000 geographical response strategy will be developed. The opacity monitoring program resulted in over 20 notices of violation being issued by ADEC for the 2000 cruise ship season.
URL: www.law.state.ak.us/naturalresources/settlement.html
- Successfully negotiated the final decree in the Dinkum Sands (Beaufort Sea) case and secured court approval of the decree. As a result, Alaska received its share of escrowed funds and Alaska's title to disputed lands was quieted.
- Continued efforts to develop the law as it relates to Alaska Natives and the relationship between Alaska Natives and the state. We worked to resolve the law on tribal recognition and tribal authority post-Venetie through our briefing and presentation to the Alaska Supreme Court in the landmark John v. Baker case. The court issued its decision in September 1999.
- Began discussions, as part of the State-Tribal Relations Team, with Alaska's federally recognized tribes to define the nature of a government-to-government relationship between the state and the tribes.
URL: www.gov.state.ak.us/STRT/index.html
- Continued our work on litigation involving oil and gas, bringing into the state treasury nearly \$450 million in tax and royalty settlements.
- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.
URL: www.gov.state.ak.us/bparco/merger.html
- Developed a comprehensive new consumer protection and antitrust web page which serves as a resource for Alaskans on a wide variety of consumer protection and antitrust issues, from dealing with mail order companies to buying used cars to protecting against telephone fraud to filing consumer complaints. We also updated and refined the consumer complaint packet and our consumer complaint database. The complaint packet and database assist in our work to resolve complaints, identify repeat problem areas, take enforcement action when warranted, and educate Alaska consumers.
URL: www.law.state.ak.us/consumer/index.html

· Successfully participated in a number of multistate consumer protection and antitrust cases, including cases involving Toys R Us, Nine West, Wade Cook financial seminars, TIME, Inc., Publishers Clearing House, and generic drug manufacturers and vitamin manufacturers. More information on these cases is available in press announcements about their conclusion.

URL: www.gov.state.ak.us/press/00217.html

URL: www.gov.state.ak.us/press/00182.html

URL: www.gov.state.ak.us/press/00221.html

· Filed an original action in the United States Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska, including those within Glacier Bay National Park and the Tongass National Forest, and were successful in getting the Court to accept the case.

URL: www.gov.state.ak.us/PRESS/00166.html

· Appealed to the Ninth Circuit Court of Appeals the final judgment of Federal District Court in the Katie John case, finding federal authority to manage most navigable waters in Alaska for subsistence hunting and fishing, and were successful in convincing the Ninth Circuit to hear the case as a full court.

URL: www.gov.state.ak.us/PRESS/00023.html

Key Performance Measures

OFFICE OF THE ATTORNEY GENERAL

Measure: The success of the Office of the Attorney General in achieving its missions will be measured by considering (1) the cost of legal services to each state agency; and (2) whether the divisions and offices in the department meet the performance measures described hereafter.

Benchmark: The following are the costs, rounded to the nearest hundred dollars, to each state agency for legal services rendered by the Civil Division on behalf of those agencies during FY 2000. These amounts include the cost of contract legal counsel and other costs external to the Department of Law as well as Law's internal costs:

Office of the Governor	\$248,000
Department of Administration	\$2,027,600
Department of Revenue (Including AHFC, and the Permanent Fund Corporation)	\$2,908,600
Department of Education (including Postsecondary Education)	\$492,700
Department of Health and Social Services	\$1,390,500
Department of Labor and Workforce Development	\$288,900
Department of Community and Economic Development (Including AIDEA)	\$1,114,300
Department of Military and Veterans Affairs	\$184,200
Department of Natural Resources	\$141,700
Department of Fish and Game	\$160,200
Department of Public Safety	\$70,200
Department of Environmental Conservation	\$1,207,900
Department of Transportation	\$3,238,900
Legislative Branch	\$0
Court System	\$10,900

DIVISION OF ADMINISTRATIVE SERVICES

Measure: Administrative Services: (1) the cost of the division compared to personnel costs for the department; (2) the number of late penalties incurred for payroll or vendor payments; (3) the number of audit exceptions.

Benchmark:

FY 2000 Total actual cost of the Administrative Services Division	\$1,096,300
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FY 2000 Total Personal Services Costs for the Department of Law	\$30,684,000
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Ratio: 3.6%

No late penalties were incurred for payroll or vendor payments. The FY 1999 statewide single audit does not contain any audit exceptions for the Department of Law.

Background:

The Administrative Services Division of the Department of Law is highly centralized encompassing those positions associated with fiscal functions, personnel and payroll, acquisition of equipment and supplies and procurement of contractual services, mailroom services, budgeting, computer network and desktop support, and administrative management. Each individual Civil and Criminal Division office employs one to two positions, depending on the size of the office, in part to assist with administrative functions such as small procurements of office supplies, disbursements of field warrants, and completing some personnel and travel forms. Those positions are not part of the Administrative Services Division.

CIVIL DIVISION***Collections and Support***

Measure: The monetary value of the criminal and civil judgments collected, including indigent defense costs, costs of incarceration for offenders convicted of driving while intoxicated, and other fines and costs owed to the state.

Benchmark and Current Status:

	Amount Collected	Judgments Satisfied
FY 1997	\$2,278,500	Not Available
FY 1998	\$2,469,900	8,569
FY 1999	\$3,111,000	10,125
FY 2000	\$2,769,600	8,569

In the FY 2001 Governor's budget, it was anticipated that FY 2000 collections would remain at the FY 1999 level. However, the FY 1999 collections were unusually high because the IRS did not attach PFD's that year as they have in all other years, including FY 2000. Staffing vacancy was a secondary cause, creating a backlog of uncollected matters. A catch up of the backlog will be experienced in FY 2001 as evidenced by the more than \$2.5 million already collected year-to-date. Thus, FY 2001 is likely to show high collections while FY 2002 may once again drop closer to the levels of fiscal years FY 1997, 1998, and 2000. The unit oversees 76,000 unpaid judgments at this time.

Background and Strategies:

The function of the collections unit is to collect money owed to the state in criminal, civil, and some administrative cases. The criminal cases include the cost of imprisonment in driving while intoxicated or refusal cases, cost of appointed counsel in cases where a public defender or public advocate appointment is made to represent a defendant, and outstanding fines and bond forfeitures. While the courts can collect on fines and bond forfeitures (these cases are only transferred to the collections unit if they are overdue to the court) the cost of appointed counsel cases are automatically transferred to the unit. Civil case collections must have a judgment in excess of \$250 entered with the court and the money collected must be free for deposit into the general fund.

There are a number of factors that affect the amount collected. The most important factor is the amount and number of judgments transferred by the courts. If a judgment is not transferred, it is unlikely the unit will receive voluntary payments and cannot seize money from a permanent fund dividend. The second factor is the number and dollar value of voluntary payments made by defendants. The only recourse the department has for nonpayment is the potential to seize the obligor's permanent fund dividend. Additional factors include the actual amount of the permanent fund dividend, the number of defendants applying for dividends; the number of defendants determined to be eligible for dividends; and other agencies or cases with statutory priority to seize dividends before our seizures are possible.

Measure: Increase completion of child support enforcement cases by 15%.

(Not yet addressed by Legislature.)

Benchmark:

In FY 1999 the Child Support Enforcement staff closed 688 files.

Current Status: In FY 2000 the Child Support Enforcement staff closed 1,425 files, an increase of more than 200%. This remarkable increase stems from two factors: first, beginning in February 1998, CSED migrated to a new computer system and the ensuing year was a transition period that resulted in far fewer files transferred to Law's child

support unit; second, an attorney was added to the unit in November of 1999. The end of the computer system transition period at CSED and the attorney added during FY 2000 resulted in a renewed focus on processing these cases. So far in FY 2001, staff have closed 368 files. The projected total for FY 2001 is 1,472 files.

Background and Strategies:

The child support unit represents the Child Support Enforcement Division (CSED) in court, including paternity establishment and disestablishment, modification of child support orders, employer non-compliance actions, criminal non-support prosecutions, licensing appeals, and miscellaneous other activities related to enforcement of child support orders. In addition, the unit provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSED.

Human Services

Measure: The number of new cases opened relating to protecting children in the state against abuse and neglect and the caseload per attorney.

Benchmark/Current Status:

In FY 2000, 695 child protection cases representing more than 1,100 Alaskan children were opened statewide.

Measure: (1) the percentage of child abuse and neglect cases completed in the permanency placement backlog; and (2) the percentage of other child abuse and neglect cases that are resolved within the statutory deadline of no more than 21 months of out-of-home placement.

(1) 662 children were identified for the Balloon Project as having been in out-of-home care 15 of the prior 22 months as of November 19, 1997. As of 10/15/00, 535 of these children were in permanent placements, and another 84 were legally free for adoption, completing the Department of Law's role in their placement. These children represent 94% of the original cases. New phases (Phases II and Phase III) involving additional children in out-of-home care were added on 2/15/00. We will provide statistics on those cases in subsequent updates of performance measures. (2) New statutory deadlines for legal action in child abuse and neglect cases became effective on September 14, 1998; thus the department looked at 164 children's cases opened in October and November of that year as the benchmark. Of 164, 91% had the required legal action taken in their cases within 21 months, and in 2 %, the required legal action took between 21 and 23 months to complete. Seven percent are still pending.

The success in meeting statutory deadlines is largely driven by Law's attorney workload. According to the American Bar Association, Center for Children and the Law, a reasonable caseload for child protection attorneys is between 40 and 50 active cases. Caseload statistical data has been developed over the course of the last three years. The following average statewide child protection caseloads of Law's Human Services section are "snapshots in time" and reflect that the success of our efforts in permanency placement for Alaskan children is largely driven by additional staff added resulting in much more reasonable caseloads per attorney. At last count, average statewide levels are approaching those suggested by the American Bar Association:

October 1, 1997	95.2
September 25, 2000	57.6

Background and Strategies:

With the passage of Ch. 99, SLA 98, the new state child protection law and the new federal Adoption and Safe Families Act, important changes were made as to how long children may remain in the child protection legal system, and when certain actions must occur. These new statutory changes at the state and federal level more concretely define parental responsibility and the changes move cases to conclusion faster to ensure that when reunification with the family is not in the child's best interest, the child can be made legally eligible for placement in a permanent home more quickly. The large number of cases placed on the accelerated schedules when the legislation became effective severely impacted attorney workloads.

The legislation defines the timelines for permanency hearings and termination of parental rights. As previously discussed, to achieve those timelines, and to eliminate the permanency placement backlog and provide the assistance outlined above, the per attorney caseload must be manageable. As a result, Law's FY 2002 budget for the Civil Division's Human Services section includes a request for interagency receipts from H&SS in the amount of \$297,800 to maintain current staff levels after the Balloon Project funding ends.

Oil & Gas & Mining

Measure: The monetary value of disputed oil and gas taxes and royalties received by the state through court judgment or settlement.

Benchmark:

FY 1999 Receipts - \$63,532,574:

Royalty Settlements - \$1,500,000 (collectable in 24 installments through 3/01)
Tax Settlements - \$62,032,574

FY 2000 Receipts - \$447,579,583:

Royalty Settlements - \$14,500,000
Tax Settlements - \$433,079,583

Background and Strategies:

These amounts will vary from year to year depending on a number of factors including the length of audit cycles, which sometimes cover more than one year, and the number and value of disputed payments.

Timekeeping and Support

Measure: Civil Division - the number of new case files opened, categorized by type of case, for each year for the past five years.

Benchmark:

File Type	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Oral Advice/Aid to agency	1842	1548	1122	948	899
General Litigation	1559	1610	1770	1523	1360
Executions	98	63	68	40	41
Torts	130	134	132	127	135
Child Support Proceedings	1650	1848	918	998	1184
Children's Proceedings	1007	1063	1405	1434	1350
Legislative Drafting	79	111	61	74	86
Legislative Review	166	120	148	103	144
Regulations Review	134	139	168	145	171
TOTALS	6665	6636	5792	5392	5370

CRIMINAL DIVISION

Measure: Establish a baseline for the number of (1) violent felony prosecutions; (2) felony drug case prosecutions; and (3) misdemeanor domestic violence assault prosecutions.

Benchmark:**FY 2000**

Violent Felonies Prosecuted – 1,115

Felony Drug Prosecutions – 667

Misdemeanor domestic violence prosecutions – 2,007

Note: The Criminal Division case tracking system tracks people, rather than cases.

Background and Strategies:

The workload for the Criminal Division is driven by factors largely beyond its control, such as the staffing levels and policies of local police agencies, staffing levels of defense attorneys, whether municipalities control alcohol, and the

policies and practices of local courts and local defense attorneys. As such, the division is able to exercise very little control over attorney caseload ratios and no control whatsoever over the volume of work coming in at any given time. Thus available quantitative information often does not show the effectiveness and competency of the work. For example, it is very difficult to draw meaningful conclusions based on conviction rates. More convictions don't necessarily mean that attorneys are doing a better job. Instead it may mean any or a combination of the following: (1) crime is up, (2) the police are conducting better investigations, (3) new laws are more effective, (4) the division is understaffed and therefore plea-bargaining more, (5) the public defender agency is understaffed and they are pleading out more of their clients.

For this reason, knowing the number of cases handled is the best measure of the division's performance.

Because Alaska is one of a very few states that handles all types of criminal offenses at the state level, useful comparative data of attorney caseload is impossible to attain. Even within Alaska, there are remarkable differences between caseloads in the urban centers and rural communities. Caseloads in rural Alaska per attorney tend to be much higher because defendants are more likely to plead out, or the district attorney is more likely to come to an agreement with the public defender.

Office of Special Prosecution and Appeals

Measure: Criminal Division (1) the number of new criminal cases reviewed for prosecution; (2) the number of criminal cases resolved; (3) the number of new appeals and petitions opened; (4) the number of appeals and petitions resolved; (5) the average cost per criminal case reviewed; and, (6) the average cost per appeal or petition opened.

Benchmark:

- (1) New criminal cases reviewed – 357
- (2) Criminal Cases resolved (as of 10/5/2000) – 231
- (3) New appeals and petitions opened – 335
- (4) Appeals and petitions resolved – 149
- (5) Avg. cost per criminal case reviewed - \$3,200
- (6) Avg. cost per appeal/petition opened - \$3,185

Status of FY2001 Performance Measures

	<i>Achieved</i>	<i>On track</i>	<i>Too soon to tell</i>	<i>Not likely to achieve</i>	<i>Needs modification</i>
ADMINISTRATION AND SUPPORT					
<ul style="list-style-type: none"> • The success of the Office of the Attorney General in achieving its mission will be measured by considering <ul style="list-style-type: none"> (1) the cost of legal services to each state agency; and (2) whether the divisions and offices in the department meet the performance measures described hereafter. • Administrative Services baselines to establish: <ul style="list-style-type: none"> (1) the cost of the division compared to personnel costs for the department; (2) the number of late penalties incurred for payroll or vendor payments; (3) the number of audit exceptions. 					
	X				
	X				
	X				
CIVIL DIVISION					

<ul style="list-style-type: none"> Establish baselines for the monetary value of: <ol style="list-style-type: none"> (1) disputed oil and gas taxes received by the state; and (2) disputed oil and gas royalties received, whether obtained through court judgment or settlement. Maintain collections of criminal and civil judgments including indigent defense costs, costs of incarceration for DWI offenders, and other fines owed the state at the level of \$3.1 million. Increase completion of child support enforcement cases by 15%. Establish a baseline by determining the number of new case files opened, categorized by type of case, for each year for the past five years. Establish a baseline for: <ol style="list-style-type: none"> (1) the number of new cases opened relating to protecting children in the state against abuse and neglect; (2) the percentage of child abuse and neglect cases completed in the permanency placement backlog; and (3) the percentage of other child abuse and neglect cases that are resolved within the statutory deadline of no more than 21 months of out-of-home placement. Review 50% of all adopted regulations with 120 days of a request for final review and 75% completed within 180 days of a request. 	X				
	X				
		X			
		X			
	X				
	X				
	X				
		X			
		X			
		X			
		X			
CRIMINAL DIVISION	X				
<ul style="list-style-type: none"> Establish a baseline for the number of <ol style="list-style-type: none"> (1) violent felony prosecutions; (2) felony drug case prosecutions; and (3) misdemeanor domestic violence assault prosecutions. Establish a baseline for the number of <ol style="list-style-type: none"> (1) new criminal cases reviewed for prosecution; (2) criminal cases resolved; (3) new appeals and petitions opened; (4) appeals and petitions resolved; (5) the average cost per criminal case reviewed. 	X				

Department Budget Summary by BRU

All dollars in thousands

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures												
Criminal Division	12,556.4	345.8	1,226.2	14,128.4	13,211.3	483.6	1,129.7	14,824.6	13,127.5	480.4	1,139.9	14,747.8
Civil Division	8,436.5	0.0	14,764.1	23,200.6	7,385.0	0.0	15,347.9	22,732.9	7,530.9	0.0	15,675.1	23,206.0
Statehood Defense	925.8	0.0	13.5	939.3	1,098.6	0.0	1.8	1,100.4	1,095.4	0.0	0.0	1,095.4
Oil and Gas Litigation & Legal	4,279.2	0.0	1,477.0	5,756.2	3,505.4	0.0	1,477.0	4,982.4	3,255.4	0.0	1,477.0	4,732.4
Administration and Support	871.7	0.0	551.1	1,422.8	899.0	0.0	643.3	1,542.3	896.0	0.0	679.8	1,575.8
Totals	27,069.6	345.8	18,031.9	45,447.3	26,099.3	483.6	18,599.7	45,182.6	25,905.2	480.4	18,971.8	45,357.4

Funding Source Summary

All dollars in thousands

Funding Sources	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
1002 Federal Receipts	345.8	483.6	480.4
1003 General Fund Match	115.6	158.0	158.6
1004 General Fund Receipts	26,417.4	25,290.2	25,203.4
1005 General Fund/Program Receipts	339.6	468.4	479.4
1007 Inter-Agency Receipts	15,871.4	15,648.0	16,389.2
1024 Fish and Game Fund		1.6	
1029 Public Employees Retirement Fund	11.5		
1037 General Fund / Mental Health	63.0	64.0	63.8
1050 Permanent Fund Dividend Fund	4.4		
1053 Investment Loss Trust Fund		118.7	
1055 Inter-agency/Oil & Hazardous Waste	420.7	473.1	470.8
1105 Alaska Permanent Fund Corporation Receipts	1,477.0	1,477.0	1,477.0
1108 Statutory Designated Program Receipts	121.6	874.2	507.8
1119 Tobacco Settlement	134.0		
1134 Fish & Game Duplicated Expenditures	125.3	125.8	127.0
Totals	45,447.3	45,182.6	45,357.4

Position Summary

Funding Sources	FY2001 Authorized	FY2002 Governor
Permanent Full Time	450	459
Permanent Part Time	16	17
Non Permanent	0	1
Totals	466	477

Overview of Departmental Budget Changes

Criminal Division:

Victim Witness Notification and Support

Victims' rights laws and the Victims' Rights Constitutional Amendment require the prosecutor's office to notify victims of numerous court proceedings and other matters. In addition, mandatory arrest laws and aggressive prosecution of domestic violence cases have increased the domestic violence caseload across the state. Nine out of thirteen prosecutors' offices have one or more victim-witness coordinators who have a broad range of responsibility to victims and to witnesses. However, the sheer volume is beyond the capacity of the victim-witness coordinators to handle. Through federal funds granted to the Department of Public Safety, a portion of which are transferred by Reimbursable Services Agreement (RSA) to the Criminal Division, a volunteer coordinator was hired to initiate volunteer programs in District Attorney Offices. The coordinator recruits local coordinators who are paid a stipend to recruit volunteers. The coordinator trains volunteers to assist victim-witness coordinators in providing notification to victims and assisting with documentation for restitution. Local volunteer coordinators and volunteers are provided training through the program. Public Safety's federal funding for this effort will be discontinued on 9/30/2001. In order to continue the volunteer program, the Criminal Division is requesting a combination of interagency funding to provide for the RSA relationship through 9/30/2001, and general funds to continue the program for the remainder of 2002 and beyond. Additional funding in the amount of \$117,500 general funds and \$39,200 interagency receipts are requested for the Criminal Division's Criminal Justice Litigation component.

Civil Division:

Child Protection: Focus on Permanency

The department is requesting authority to expend \$297,800 in interagency receipts from the Department of Health and Social services to make permanent two temporary attorney positions now funded through the Balloon Project. While more work remains to be done on this important project during FY 2001, the oldest cases are almost all resolved, and a picture of what on-going caseloads will be like absent other significant changes in law or policy is beginning to appear.

The rate of increase in new child-in-need-of-aid (CINA) cases has slowed significantly since the upsurge in 1998. The Human Services section in Anchorage saw a 65 percent increase in new CINA cases between 1997 and 1998. In 1999, the number of new cases increased another 13.9 percent, and in 2000, 2.6 percent. During the first three months of FY 2001, the number of new CINA cases coming into the Anchorage office is already 5 percent more than in FY 2000. While the rate of increase is less, more new cases are still coming in each year. The Balloon Project has been very successful in clearing the backlog of cases involving children in out-of-home care for far too long, and overall, per attorney caseloads are down compared to prior years. However, caseloads are still high, particularly in Anchorage and Bethel, where per attorney caseloads are in excess of 60 cases. National standards suggest a responsible caseload is no more than 40 to 50 active cases.

With the number of new cases continuing to increase, the loss of two positions that focus on permanency for the most difficult children's cases will be costly. These positions allow the remaining attorneys in the section to handle the day-to-day crises associated with new children just entering the system, who have not moved to the point that termination of parental rights is mandated, and meet the statutory deadlines the child protection laws require. An analysis of cases opened in October and November 1998 indicates that the deadlines are being met in over 90 percent of the cases. If two attorney positions are lost, it will be impossible to maintain this success rate without caseloads increasing again, to the detriment of the children the deadlines were written to help.

Juvenile Delinquency

The Anchorage juvenile delinquency caseload has been of concern for some time. In FY1999, the department requested, but did not receive, funding for a second juvenile delinquency position. The situation has only worsened since then. A request for \$137,000 in general funds is included in the Human Services component for an additional attorney to handle juvenile delinquency cases.

Victim Restitution

The Collections section in the Civil Division will participate in a new Victim Restitution project by tracking court judgments ordering the payment of restitution to crime victims. Currently, the section collects criminal fines and related costs and certain civil judgments and administrative penalties. The primary means of collecting these judgments is through annual automated attachment of permanent fund dividends. For civil judgments, additional collection actions may be taken, including attachment of bank accounts, garnishment of wages, and judgment debtor exams. A total of of \$250,000 in general funds is requested for additional staff to handle the increased workload plus funds to upgrade the Collections computer system.

Summary of Department Budget Changes by BRU

From FY2001 Authorized to FY2002 Governor

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	26,099.3	483.6	18,599.7	45,182.6
Adjustments which will continue current level of service:				
-Criminal Division	-201.3	-3.2	-29.0	-233.5
-Civil Division	-331.1	0.0	-413.2	-744.3
-Statehood Defense	-3.2	0.0	-1.8	-5.0
-Oil and Gas Litigation & Legal	-250.0	0.0	0.0	-250.0
-Administration and Support	-3.0	0.0	-7.0	-10.0
Proposed budget increases:				
-Criminal Division	117.5	0.0	39.2	156.7
-Civil Division	477.0	0.0	740.4	1,217.4
-Administration and Support	0.0	0.0	43.5	43.5
FY2002 Governor	25,905.2	480.4	18,971.8	45,357.4

Criminal Division Budget Request Unit

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BRU Mission

The mission of the Criminal Division is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

BRU Services Provided

(1) The Criminal Division prosecutes all violations of state criminal law committed by adults, and a large portion of the serious crimes committed by juveniles. Prosecution services protect the public by convicting criminals and placing them under appropriate controls. Without these services, Alaskans would not be able to live in safe and healthy communities.

In the fiscal year ending June 30, 2000, over 28,000 cases (including 7,000 felony, 20,000 misdemeanor, and 1,000 other cases) were sent to the Criminal Division by police or probation agencies. This is an increase of roughly 40 percent in felonies and 10 percent in misdemeanors in the 1990s.

The increase in felony cases is largely the result of an upswing in drug crimes and probation violations for drug offenders. The Criminal Division workload has also been affected by a large number of domestic violence assaults, which are among the most time-consuming and difficult cases to prosecute. Those cases increased over 20 percent over the last four years, most likely due to mandatory arrest statutes in the Domestic Violence and Prevention Act of 1996.

(2) The Criminal Division provides assistance to victims and witnesses of crimes, such as travel and per diem expenses, court-mandated witness fees, and information about court procedures, domestic violence restraining orders and violent crimes compensation procedures. Demands on the victim-witness assistants have increased substantially over the last several years as a result of victims' rights laws enacted in 1989 and 1991, the Victims' Rights Amendment to the Alaska Constitution approved by the voters in 1994, and the Domestic Violence Prevention and Victim Protection Act of 1996. Two-thirds of the Criminal Division travel budget is used to bring victims and witnesses to court.

(3) The Criminal Division represents the state in all criminal appellate proceedings and state and federal post-conviction and habeas corpus proceedings. These post-trial procedures are constitutionally required; when such actions are filed by convicted criminals there must be a response by the state. Without these functions, the efforts of criminal justice agencies to detect and punish crime through investigation, trial, and conviction would be nullified. In addition, the BRU also handles civil litigation challenging statutes related to criminal justice, such as sex offender registration, victims' rights, and physician-assisted suicide.

(4) The Criminal Division provides basic legal services to the Departments of Corrections and Public Safety, consisting of verbal and written advice, representation in civil litigation and administrative proceedings, and assistance with drafting legislation, regulations, policies, and procedures. The division also provides advice to the legislature on criminal justice matters, and handles all appeals of administrative license revocations by the Division of Motor Vehicles in the Department of Administration.

(5) The Criminal Division activities are carried out in fifteen offices across the state. Thirteen regional prosecution offices provide day-to-day criminal prosecution services, as set out in paragraphs (1) and (2) above. An office in Anchorage handles appellate matters in the Court of Appeals, the Alaska Supreme Court and the federal courts, as described in paragraph (3). An office in Juneau is responsible for representing criminal justice system agencies and providing legislative advice, as described in paragraph (4). In addition, the Anchorage offices also have special units for:

- a. narcotics prosecution (funded by the Department of Public Safety)
- b. environmental crime (funded by the Department of Environmental Conservation)

- c. child support enforcement (funded by the Department of Revenue)
- d. welfare fraud (funded by the Department of Health and Social Services)
- e. Medicaid provider fraud (federally-funded)
- f. selected fish and game prosecution (funded by the Fish and Game Fund)
- g. white collar and other special prosecution (General Fund)

BRU Goals and Strategies

Goals and strategies appear at the component level.

Key BRU Issues for FY2001 – 2002

Issue No. 1: How to Respond to Increased Enforcement of Child Abuse Laws

Child abuse cases (both sexual and physical abuse) are among the most difficult to prosecute. Although sexual abuse cases are routinely reported and prosecuted, it is believed that child physical abuse cases are not as well reported or investigated. Recent attention focused on child physical abuse cases is likely to result in an increase in the number of such cases sent to prosecution offices for review and prosecution.

Issue No. 2: How to Respond to Increased Enforcement of Domestic Violence Laws

The Domestic Violence Prevention and Victim Protection Act of 1996 requires arrests to be made in all cases of domestic violence. Even before this requirement became law, many police agencies voluntarily adopted mandatory arrest policies, and the number of domestic violence cases grew to over half of all misdemeanor assaults and a large percentage of all felony assaults and murders. In the year following enactment of the 1996 Act, the percentage of misdemeanor assaults related to domestic violence increased to 65 percent, or nearly two out of every three. In the last year the Criminal Division handled over 3,200 cases of misdemeanor domestic violence.

Issue No. 3: How to Respond to The High Volume Of Sexual Offenses

After several years of a relatively stable number of felony sexual offenses being sent to prosecutors for review, the number of these cases increased dramatically to over 700 in FY1993. Cases of rape of adult women increased 16 percent to over 300, while cases of abuse of children increased 21 percent to 400. Those numbers leveled off in FY1994-2000, but there are still 600 felony sexual offenses being sent to Criminal Division offices for review each year. This increase in sexual crimes is also reflected in the growing number of requests for safe housing, reported by the Network on Domestic Violence and Sexual Assault.

Issue No. 4: How to Respond to Other Demands for Criminal Division Legal Services

Along with heavy criminal caseloads, the Criminal Division is also called on to defend the legality of new laws. For example, there is a great deal of litigation over the legality of sex offender registration laws and the manslaughter statute as it relates to physician-assisted suicide. Laws relating to victim rights, such as the right not to be secretly recorded by defense attorneys, are being challenged in court. New laws relating to abortion are also being challenged. Criminal Division attorneys are handling all these lawsuits. Criminal Division attorneys have also upheld challenges to the concealed handgun regulations, and annually the division handles dozens of appeals from driver license revocations imposed by the Division of Motor Vehicles in the Department of Administration.

In addition, the Criminal Division is being called on more and more to perform other functions. For example, Criminal Division attorneys spend significant amounts of time providing training to other agencies. The State Trooper Academy in Sitka has several courses each year to train new trooper and police recruits, as well as separate classes for village public safety officers and experienced police officers. Each course contains a component for legal training in the criminal code and criminal procedure, which requires instruction by a trained prosecutor. The Anchorage Police Department conducts similar training for its own recruits. The Department of Corrections has training requirements for correctional officers and probation officers, which also require an attorney's services for instruction. Community groups, such as victim service agencies, often require attorney training as well. In addition, prosecutors and

paralegals participate in multidisciplinary teams to combat child abuse, various task forces, and other groups whose goals are to improve the criminal justice system or deal with a particular community problem.

Issue No. 5: How to Respond to Drug and Alcohol Offenses

The Criminal Division participated in a drug court planning project with the court system, law enforcement, the Public Defender Agency, and the Department of Corrections. A drug court is a program that is designed to supervise non-violent felony offenders who commit drug offenses or drug-related offenses (such as theft to support a drug addiction). A half-time prosecutor will be assigned to a drug court that will be established in Anchorage in early CY2001 with interagency receipts Law will receive from the Court System. The Court System is the coordinating agency of the federal funds for this purpose. The goals of drug court include: reducing criminal offenses committed by drug-and alcohol-addicted persons, reducing costs associated with re-arrest and confinement, introducing offenders to an ongoing process of recovery designed to achieve abstinence from intoxicants, and improving conditions for the children of addicted offenders.

Alcohol is at the root of a number of problems in Alaska. The correlation between alcohol and crime is significant, and alcohol is related to a number of accidental deaths and injuries. In addition, many children are born with FAS or FAE because their mothers consumed alcohol during pregnancy. Experience has shown that the rate of crime can be decreased if alcohol availability is decreased. State law gives municipalities the option of banning or limiting alcohol in their communities, and many villages have voted for that local option. In areas that go completely dry (by banning possession of alcohol), the level of crime falls immediately and significantly, until bootleggers start to return alcohol to the region. Enforcement of local option laws is difficult. The villages of Western Alaska are not accessible by road. Therefore, all alcohol is imported by plane, by boat, or by mail. To reduce the amount of alcohol brought into dry communities by plane and mail, we are increasing our alcohol interdiction efforts through the addition of a half-time prosecutor.

Major BRU Accomplishments for FY2000

Major accomplishments appear at the component level.

Criminal Division
BRU Financial Summary by Component

All dollars in thousands

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures												
First Judicial District	1,176.8	0.0	0.0	1,176.8	1,200.6	0.0	2.3	1,202.9	1,216.2	0.0	0.0	1,216.2
Second Judicial District	801.1	0.0	0.0	801.1	827.9	0.0	1.6	829.5	807.4	0.0	0.0	807.4
Third Judicial: Anchorage	3,051.6	0.0	339.1	3,390.7	3,024.4	0.0	400.3	3,424.7	3,081.1	0.0	394.0	3,475.1
Third JD: Outside Anchorage	2,083.6	0.0	69.3	2,152.9	2,161.4	0.0	4.2	2,165.6	2,218.7	0.0	0.0	2,218.7
Fourth Judicial District	2,844.1	0.0	0.0	2,844.1	2,733.6	0.0	5.3	2,738.9	2,725.6	0.0	0.0	2,725.6
Criminal Justice Litigation	1,201.5	0.0	339.5	1,541.0	1,728.9	0.0	172.1	1,901.0	1,612.0	0.0	206.8	1,818.8
Criminal Appeals/Special Lit	1,397.7	345.8	478.3	2,221.8	1,534.5	483.6	543.9	2,562.0	1,466.5	480.4	539.1	2,486.0
Totals	12,556.4	345.8	1,226.2	14,128.4	13,211.3	483.6	1,129.7	14,824.6	13,127.5	480.4	1,139.9	14,747.8

Criminal Division**Proposed Changes in Levels of Service for FY2002**

None.

Criminal Division**Summary of BRU Budget Changes by Component****From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	13,211.3	483.6	1,129.7	14,824.6
Adjustments which will continue current level of service:				
-First Judicial District	15.6	0.0	-2.3	13.3
-Second Judicial District	-20.5	0.0	-1.6	-22.1
-Third Judicial: Anchorage	56.7	0.0	-6.3	50.4
-Third JD: Outside Anchorage	57.3	0.0	-4.2	53.1
-Fourth Judicial District	-8.0	0.0	-5.3	-13.3
-Criminal Justice Litigation	-234.4	0.0	-4.5	-238.9
-Criminal Appeals/Special Lit	-68.0	-3.2	-4.8	-76.0
Proposed budget increases:				
-Criminal Justice Litigation	117.5	0.0	39.2	156.7
FY2002 Governor	13,127.5	480.4	1,139.9	14,747.8

Component: First Judicial District

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The District Attorney offices in this component prosecute all violations of state criminal law in Alaska, with the exception of welfare and Medicaid fraud. In addition to filing criminal charges and conducting criminal trials, the offices give day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serve as legal advisor to grand juries, and handle sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney offices provide victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures.

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Rights Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by seven attorneys in three offices in Juneau, Ketchikan, and Sitka. In the fiscal year ending June 30, 2000, over 3,000 criminal cases (700 felonies and over 2,500 misdemeanors) were referred for prosecution or probation revocation.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Because these objectives are subjective, they can be measured only indirectly, by assessing the number of criminal cases handled. The focus, we believe, should be on the most important, and most resource-intensive cases: violent felonies, misdemeanor assaults (most of which are domestic violence), and drunk driving. The objectives set out below are based on historical caseloads and, where appropriate, a reflection of anticipated changes in caseloads. The statistics shown below are based on FY2000 actuals, except for number of convictions, which is based on calendar year 1999 actuals. Conviction data for CY1999 are more useful for convictions, because they are more complete data.

Prior Yr Prior Yr Next Yr

	Predicted	Actual	Predicted
Number of Violent Felonies Reviewed:	240	201	220
Number of Violent Felonies Filed:	120	122	120
Number of Convictions for Violent Felonies:	60	58	60
Domestic Violence Assaults Reviewed:	350	319	350

Statutory and Regulatory Authority

AS 44.23.020

First Judicial District

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	994.6	992.4	1,005.7
72000 Travel	80.2	94.2	94.2
73000 Contractual	74.6	89.5	89.5
74000 Supplies	25.6	26.8	26.8
75000 Equipment	1.8	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,176.8	1,202.9	1,216.2
Funding Sources:			
1004 General Fund Receipts	1,176.8	1,194.5	1,216.2
1053 Investment Loss Trust Fund	0.0	6.1	0.0
1108 Statutory Designated Program Receipts	0.0	2.3	0.0
Funding Totals	1,176.8	1,202.9	1,216.2

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Statutory Designated Program Receipts	51063	0.0	2.3	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	6.1	0.0	0.0	0.0
Restricted Total		0.0	8.4	0.0	0.0	0.0
Total Estimated Revenues		0.0	8.4	0.0	0.0	0.0

First Judicial District**Proposed Changes in Levels of Service for FY2002**

No changes were made in FY2001 and none are requested for FY2002.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	1,200.6	0.0	2.3	1,202.9
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	2.3	0.0	-2.3	0.0
-From Criminal Justice Litigation - Reduce Vacancy Factor	19.9	0.0	0.0	19.9
-Year 2 Labor Costs - Net change from FY 2001	-6.6	0.0	0.0	-6.6
FY2002 Governor	1,216.2	0.0	0.0	1,216.2

First Judicial District

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	16	16	Annual Salaries	779,704
Part-time	0	0	COLA	14,857
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	247,383
			<i>Less 3.48% Vacancy Factor</i>	(36,244)
			Lump Sum Premium Pay	0
Totals	16	16	Total Personal Services	1,005,700

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk I	0	0	0	1	1
Administrative Clerk II	0	0	1	1	2
Attorney III	0	0	0	1	1
Attorney IV	0	0	1	2	3
Attorney V	0	0	2	1	3
Legal Secretary I	0	0	1	1	2
Legal Secretary II	0	0	1	1	2
Paralegal Asst II	0	0	1	1	2
Totals	0	0	7	9	16

Component: Second Judicial District

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The District Attorney offices in this component prosecute all violations of state criminal law in Alaska, with the exception of welfare and Medicaid fraud. In addition to filing criminal charges and conducting criminal trials, the offices give day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serve as legal advisor to grand juries, and handle sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney offices provide victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures.

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Right Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by four attorneys in three offices in Nome, Kotzebue, and Barrow. In the fiscal year ending June 30, 2000, over 2,000 criminal cases (400 felonies and 1,800 misdemeanors) were referred for prosecution or probation revocation. In Barrow, the one-attorney office receives periodic assistance from Fairbanks, even though the Fairbanks District Attorney's Office often has attorney positions unfilled due to lack of funding.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in rural Alaska.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Because these objectives are subjective, they can be measured only indirectly, by assessing the number of criminal cases handled. The focus, we believe, should be on the most important, and most resource-intensive cases: violent felonies, misdemeanor assaults (most of which are domestic violence), and drunk driving. The objectives set out below are based on historical caseloads and, where appropriate, a reflection of anticipated changes in caseloads. The statistics shown below are based on FY2000 actuals, except for number of convictions, which are based on calendar year 1999 actuals. Conviction data for CY1999 is more useful for convictions, because more complete data is available.

	Prior Yr Predicted	Prior Yr Actual	Next Yr Predicted
Number of Violent Felonies Reviewed:	200	185	200
Number of Violent Felonies Filed:	90	78	70
Number of Convictions for Violent Felonies:	60	57	60
Domestic Violence Assaults Reviewed:	550	488	500

Statutory and Regulatory Authority

AS 44.23.020

Second Judicial District

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	647.3	664.9	642.8
72000 Travel	59.1	70.5	70.5
73000 Contractual	44.5	62.7	62.7
74000 Supplies	48.7	31.4	31.4
75000 Equipment	1.5	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	801.1	829.5	807.4
Funding Sources:			
1004 General Fund Receipts	801.1	823.8	807.4
1053 Investment Loss Trust Fund	0.0	4.1	0.0
1108 Statutory Designated Program Receipts	0.0	1.6	0.0
Funding Totals	801.1	829.5	807.4

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Statutory Designated Program Receipts	51063	0.0	1.6	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	4.1	0.0	0.0	0.0
Restricted Total		0.0	5.7	0.0	0.0	0.0
Total Estimated Revenues		0.0	5.7	0.0	0.0	0.0

Second Judicial District**Proposed Changes in Levels of Service for FY2002**

No changes were made in FY2001, and none are requested for FY2002.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	827.9	0.0	1.6	829.5
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	-27.2	0.0	0.0	-27.2
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.6	0.0	-1.6	0.0
-From Third Judicial Anchorage - Reduce Vacancy Factor	10.0	0.0	0.0	10.0
-Year 2 Labor Costs - Net Change from FY 2001	-4.9	0.0	0.0	-4.9
FY2002 Governor	807.4	0.0	0.0	807.4

Second Judicial District
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	8	8	Annual Salaries	510,159
Part-time	0	0	COLA	9,708
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	142,584
			<i>Less 2.97% Vacancy Factor</i>	(19,651)
			Lump Sum Premium Pay	0
Totals	8	8	Total Personal Services	642,800

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney IV	0	0	0	2	2
Attorney V	0	0	0	2	2
Legal Secretary I	0	0	0	2	2
Legal Secretary II	0	0	0	1	1
Paralegal Asst I	0	0	0	1	1
Totals	0	0	0	8	8

Component: Third Judicial District: Anchorage

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The office in this component prosecutes all violations of state criminal law in Alaska, with the exception of welfare and Medicaid fraud. In addition to filing criminal charges and conducting criminal trials, the office gives day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serves as legal advisor to grand juries, and handles sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney's office provides victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Rights Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by 24 attorneys (four through a federally funded reimbursable service agreement from the Department of Public Safety) in one office in Anchorage. The office also supervises the one attorney in Dillingham who is budgeted in the Third Judicial District: Outside Anchorage Component. In the fiscal year ending June 30, 2000, the Anchorage office handled over 6,000 cases. There were nearly 3,000 new felonies or felony probation revocations referred for prosecution in the Anchorage office. In addition, 3,000 misdemeanor cases and probation revocations were handled by the Anchorage office, despite the fact that that Municipal Attorney's office handles the bulk of misdemeanor cases occurring in Anchorage.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban Alaska. The federally funded drug unit provides prosecution of drug offenses in Anchorage and serves as a legal resource for drug investigation and prosecution in the rest of the state.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Because these objectives are subjective, they can be measured only indirectly, by assessing the number of criminal cases handled. The focus, we believe, should be on the most important, and most resource-intensive cases: violent felonies, misdemeanor assaults (most of which are domestic violence) and drunk driving. The objectives set

out below are based on historical caseloads and, where appropriate, a reflection of anticipated changes in caseloads. The statistics shown below are based on FY2000 actuals, except for number of convictions, which is based on calendar year 1999 actuals. Conviction data for CY1999 are more useful for convictions, because they are more complete.

	Prior Yr Predicted	Prior Yr Actual	Next Yr Predicted
Number of Violent Felonies Reviewed:	650	617	625
Number of Violent Felonies Filed:	450	490	475
Number of Convictions for Violent Felonies:	175	229	200
Domestic Violence Assaults Reviewed:	350	111	150

Statutory and Regulatory Authority

AS 44.23.020

Third Judicial District: Anchorage

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	3,065.7	3,082.7	3,137.0
72000 Travel	58.3	88.0	88.0
73000 Contractual	170.2	200.4	196.5
74000 Supplies	90.4	47.6	47.6
75000 Equipment	6.1	6.0	6.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	3,390.7	3,424.7	3,475.1
Funding Sources:			
1004 General Fund Receipts	3,051.6	3,009.2	3,081.1
1007 Inter-Agency Receipts	339.1	394.5	394.0
1053 Investment Loss Trust Fund	0.0	15.2	0.0
1108 Statutory Designated Program Receipts	0.0	5.8	0.0
Funding Totals	3,390.7	3,424.7	3,475.1

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	65.0	0.0	0.0	0.0	0.0
Unrestricted Total		65.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	339.1	394.5	390.2	394.0	394.0
Statutory Designated Program Receipts	51063	0.0	5.8	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	15.2	0.0	0.0	0.0
Restricted Total		339.1	415.5	390.2	394.0	394.0
Total Estimated Revenues		404.1	415.5	390.2	394.0	394.0

Third Judicial District: Anchorage**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	3,024.4	0.0	400.3	3,424.7
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	27.2	0.0	0.0	27.2
-Convert Special FY2001 Labor Cost Fund Sources to GF	5.8	0.0	-5.8	0.0
-From Criminal Justice Litigation - Partially Fund PCN 1249 Drug/Alcohol Prosecution	42.3	0.0	0.0	42.3
-To Second Judicial - Reduce Vacancy Factor	-10.0	0.0	0.0	-10.0
-Year 2 Labor Costs - Net Change from FY 2001	-8.6	0.0	-0.5	-9.1
FY2002 Governor	3,081.1	0.0	394.0	3,475.1

Third Judicial District: Anchorage**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	49	50	Annual Salaries	2,504,653
Part-time	0	0	COLA	49,286
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	783,328
			<i>Less 6.00% Vacancy Factor</i>	(200,236)
			Lump Sum Premium Pay	0
Totals	49	50	Total Personal Services	3,137,031

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk I	2	0	0	0	2
Administrative Clerk II	3	0	0	0	3
Administrative Manager I	1	0	0	0	1
Assoc Attorney II	1	0	0	0	1
Attorney III	9	0	0	0	9
Attorney IV	9	0	0	0	9
Attorney V	6	0	0	0	6
Attorney VI	1	0	0	0	1
Legal Secretary I	9	0	0	0	9
Legal Secretary II	3	0	0	0	3
Paralegal Asst II	6	0	0	0	6
Totals	50	0	0	0	50

Component: Third Judicial District: Outside Anchorage

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The District Attorney offices in this component prosecute all violations of state criminal law in Alaska, with the exception of welfare and Medicaid fraud. In addition to filing criminal charges and conducting criminal trials, the offices give day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serve as legal advisor to grand juries, and handle sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney offices provide victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Rights Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by 13 attorneys in four offices in Palmer, Kenai, Kodiak, and Dillingham. The one attorney in Dillingham is supervised by the Anchorage District Attorney's Office. In the fiscal year ending June 30, 2000, the offices dealt with over 8,000 cases (over 1,000 felony and 7,000 misdemeanor) that were referred for prosecution in Palmer, Kenai, Kodiak and Dillingham.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Because these objectives are subjective, they can be measured only indirectly, by assessing the number of criminal cases handled. The focus, we believe, should be on the most important, and most resource-intensive cases: violent felonies, misdemeanor assaults (most of which are domestic violence), and drunk driving. The objectives set out below are based on historical caseloads and, where appropriate, a reflection of anticipated changes in caseloads. The statistics shown below are based on FY2000 actuals, except for number of convictions, which are based on calendar year 1999 actuals. Conviction data for CY1999 are more useful for convictions, because they are more complete.

	Prior Yr Predicted	Prior Yr Actual	Next Yr Predicted
Number of Violent Felonies Reviewed:	300	347	320
Number of Violent Felonies Filed:	170	194	170
Number of Convictions for Violent Felonies:	80	81	80
Domestic Violence Assaults Reviewed:	800	694	754

Statutory and Regulatory Authority

AS 44.23.020

Third Judicial District: Outside Anchorage

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,858.9	1,850.0	1,916.3
72000 Travel	74.9	114.5	114.5
73000 Contractual	167.9	168.1	154.9
74000 Supplies	47.8	33.0	33.0
75000 Equipment	3.4	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,152.9	2,165.6	2,218.7
Funding Sources:			
1004 General Fund Receipts	2,083.6	2,150.5	2,218.7
1007 Inter-Agency Receipts	69.3	0.0	0.0
1053 Investment Loss Trust Fund	0.0	10.9	0.0
1108 Statutory Designated Program Receipts	0.0	4.2	0.0
Funding Totals	2,152.9	2,165.6	2,218.7

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	69.3	0.0	33.8	0.0	0.0
Statutory Designated Program Receipts	51063	0.0	4.2	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	10.9	0.0	0.0	0.0
Restricted Total		69.3	15.1	33.8	0.0	0.0
Total Estimated Revenues		69.3	15.1	33.8	0.0	0.0

Third Judicial District: Outside Anchorage**Proposed Changes in Levels of Service for FY2002**

One attorney position was added to the Palmer office in July 1999. The position was funded for a little over one year with RSA'd federal grant funds from The Department of Public Safety, and was responsible for reviewing and prosecuting drug cases. Funding ended in October 2000 and the position was subsequently transferred to the Third Judicial District: Anchorage Component, to be funded with the anticipated drug-court money and general funds made available in that component for alcohol prosecution.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	2,161.4	0.0	4.2	2,165.6
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	63.0	0.0	0.0	63.0
-Convert Special FY2001 Labor Cost Fund Sources to GF	4.2	0.0	-4.2	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-9.9	0.0	0.0	-9.9
FY2002 Governor	2,218.7	0.0	0.0	2,218.7

Third Judicial District: Outside Anchorage

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	29	28	Annual Salaries	1,526,813
Part-time	0	0	COLA	28,584
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	461,723
			<i>Less 5.00% Vacancy Factor</i>	(100,856)
			Lump Sum Premium Pay	0
Totals	29	28	Total Personal Services	1,916,264

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	0	0	0	2	2
Attorney III	0	0	0	2	2
Attorney IV	0	0	0	7	7
Attorney V	0	0	0	4	4
Legal Secretary I	0	0	0	5	5
Legal Secretary II	0	0	0	2	2
Paralegal Asst I	0	0	0	1	1
Paralegal Asst II	0	0	0	5	5
Totals	0	0	0	28	28

Component: Fourth Judicial District

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The District Attorney offices in this component prosecute all violations of state criminal law in Alaska, with the exception of welfare and Medicaid fraud. In addition to filing criminal charges and conducting criminal trials, the offices give day-to-day advice to state and local law enforcement agencies conducting criminal investigations, serve as legal advisor to grand juries, and handle sentence appeals and probation revocation actions. Prosecution services protect the public by convicting criminal offenders and placing them under appropriate controls, and by revoking probation if they do not comply with conditions of supervision. Without these services, Alaskans would not be able to live in safe and healthy communities.

(B) The District Attorney offices provide victim-witness assistance services such as travel and per diem expenses, court-mandated witness fees, information on court procedures required by statute and the Alaska Constitution, and assistance with domestic violence orders and violent crimes compensation procedures

Two-thirds of all travel costs in the BRU are due to transportation and per diem for witnesses needed for court proceedings. Demands on the victim-witness assistants increased substantially over the last several years as a result of victims' rights laws that passed in 1989 and 1991, as a result of the passage of the Victims' Rights Amendment to the Alaska Constitution in 1994 and the Domestic Violence Prevention and Victim Protection Act of 1996. Victim-witness services are an indispensable element in the daily operation of the criminal justice system.

(C) The services are delivered by 13 attorneys in Fairbanks, who provide regular assistance and supervision to the office in Barrow, and by four attorneys in Bethel. In the fiscal year ending June 30, 2000, over 7000 criminal cases (1,300 felonies and 6,000 misdemeanors) were referred for prosecution or probation revocation.

Component Goals and Strategies

The primary goal of this component is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

Key Component Issues for FY2001 – 2002

The Court System will be moving to a new courthouse in Fairbanks several blocks from the current courthouse. Since the attorneys and staff will no longer be in the same building as the courtrooms, a significant amount of attorney time will be spent traveling to and from the new courthouse. In addition, staff will be required to shuttle victims and witnesses from the office to the courthouse for court proceedings. At this time, it is difficult to predict how much time will be spent on travel. We are beginning discussions with The Department of Administration to consider alternatives for the Fairbanks office location.

Major Component Accomplishments for FY2000

Because these objectives are subjective, they can be measured only indirectly, by assessing the number of criminal cases handled. The focus, we believe, should be on the most important, and most resource-intensive, cases: violent felonies, misdemeanor assaults (most of which are domestic violence), and drunk driving. The objectives set out below are based on historical caseloads and, where appropriate, a reflection of anticipated changes in caseloads.

The felony caseload in the Fourth Judicial District increased more than anticipated, particularly in the Bethel office, which has seen an increase in the number of homicides. The statistics shown below are based on FY2000 actuals, except for number of convictions, which are based on calendar year 1999 actuals. Conviction data for CY1999 are more useful for convictions, because they are more complete.

	P/Y	P/Y	Next Yr
	Predicted	Actual	Predicted
Number of Violent Felonies Reviewed:	450	452	450
Number of Violent Felonies Filed:	230	250	240
Number of Convictions for Violent Felonies:	130	126	130
Domestic Violence Assaults Reviewed:	900	808	850

Statutory and Regulatory Authority

AS 44.23.020

Fourth Judicial District

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	2,375.0	2,366.3	2,384.3
72000 Travel	252.8	184.6	184.6
73000 Contractual	171.2	135.7	104.4
74000 Supplies	33.5	52.3	52.3
75000 Equipment	11.6	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,844.1	2,738.9	2,725.6
Funding Sources:			
1004 General Fund Receipts	2,844.1	2,719.9	2,725.6
1053 Investment Loss Trust Fund	0.0	13.7	0.0
1108 Statutory Designated Program Receipts	0.0	5.3	0.0
Funding Totals	2,844.1	2,738.9	2,725.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Statutory Designated Program Receipts	51063	0.0	5.3	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	13.7	0.0	0.0	0.0
Restricted Total		0.0	19.0	0.0	0.0	0.0
Total Estimated Revenues		0.0	19.0	0.0	0.0	0.0

Fourth Judicial District
Proposed Changes in Levels of Service for FY2002

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	2,733.6	0.0	5.3	2,738.9
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	5.3	0.0	-5.3	0.0
-Year 2 Labor Costs - Net Change from Fy 2001	-13.3	0.0	0.0	-13.3
FY2002 Governor	2,725.6	0.0	0.0	2,725.6

Fourth Judicial District
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	34	34	Annual Salaries	1,932,396
Part-time	0	0	COLA	37,130
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	566,087
			<i>Less 5.97% Vacancy Factor</i>	(151,358)
			Lump Sum Premium Pay	0
Totals	34	34	Total Personal Services	2,384,255

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	0	1	0	0	1
Administrative Clerk I	0	2	0	0	2
Administrative Clerk II	0	1	0	1	2
Attorney III	0	3	0	1	4
Attorney IV	0	8	0	2	10
Attorney V	0	1	0	1	2
Attorney VI	0	1	0	0	1
Legal Secretary I	0	4	0	1	5
Legal Secretary II	0	1	0	1	2
Paralegal Asst II	0	3	0	2	5
Totals	0	25	0	9	34

Component: Criminal Justice Litigation

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) This section provides basic legal services to the Department of Corrections and the Department of Public Safety, consisting of verbal and written advice, representation in civil litigation and administrative proceedings, and assistance with drafting legislation, regulations, policies, and procedures. Services are provided to the Department of Public Safety (State Troopers, State Trooper Academy, Fire Prevention, Fish and Wildlife Protection, Administrative Services, Alaska Police Standards Council, Violent Crimes Compensation Board, and the Statewide Scientific Crime Detection Laboratory) and the Department of Corrections (Institutions, Prison Programs, Probation Services, Corrections Academy and Parole Board). This section also provides assistance to the Departments of Corrections and Health and Social Services on special projects related to prison capacity and juvenile justice.

(B) This section handles all administrative appeals of driver license revocations by the Division of Motor Vehicles in the Department of Administration.

(C) This section advises the governor and the legislature on criminal justice legislation.

(D) This section provides overall administration of the BRU and sets policy for all offices in the BRU by monitoring and approving budgetary expenditures, setting uniform prosecution policies, maintaining a case management system, and being responsible for personnel matters.

(E) The services are delivered by three attorneys located in Anchorage and four attorneys in Juneau.

Component Goals and Strategies

The goal of the Criminal Justice Litigation and Legal Services section is to support the departments of Corrections and Public Safety by providing day-to-day legal advice, and to provide administrative and policy direction to all state prosecution offices. An additional goal is to maintain an effective criminal justice system by assisting the administration and the legislature in reviewing and enacting effective criminal justice legislation.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Objective 1: Uphold the administrative decisions of the state's prison system by defending the state against prisoner lawsuits in state and federal courts.

Number of prisoner lawsuits defended: 70

Objective 2: Uphold the administrative revocation of driver licenses by the Division of Motor Vehicles by opposing requests for stays of revocations and handling appeals of those revocations.

Number of license revocation cases handled: 50

Statutory and Regulatory Authority

AS 44.23.020

Criminal Justice Litigation

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,134.9	1,200.0	1,298.4
72000 Travel	95.9	130.9	102.6
73000 Contractual	226.9	553.6	370.7
74000 Supplies	71.6	16.5	47.1
75000 Equipment	10.7	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	1.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,541.0	1,901.0	1,818.8
Funding Sources:			
1004 General Fund Receipts	1,201.5	1,721.0	1,612.0
1007 Inter-Agency Receipts	339.5	169.1	206.8
1053 Investment Loss Trust Fund	0.0	7.9	0.0
1108 Statutory Designated Program Receipts	0.0	3.0	0.0
Funding Totals	1,541.0	1,901.0	1,818.8

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	2.1	0.0	0.0	0.0	0.0
Unrestricted Total		2.1	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	339.5	169.1	334.2	206.8	206.8
Statutory Designated Program Receipts	51063	0.0	3.0	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	7.9	0.0	0.0	0.0
Restricted Total		339.5	180.0	334.2	206.8	206.8
Total Estimated Revenues		341.6	180.0	334.2	206.8	206.8

Criminal Justice Litigation**Proposed Changes in Levels of Service for FY2002**

No changes are requested for FY2002.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	1,728.9	0.0	172.1	1,901.0
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	3.0	0.0	-3.0	0.0
-To Third Judicial Anchorage - Partially fund PCN 1249 Drug/Alcohol Prosecutor	-42.3	0.0	0.0	-42.3
-To First Judicial - Reduce Vacancy Factor	-19.9	0.0	0.0	-19.9
-Year 2 Labor Costs - Net Change from FY 2001	-9.9	0.0	-1.5	-11.4
-Reduce Funding - Medical Procedures Carryforward , CH 2 FSSLA 99 Sec 55	-165.3	0.0	0.0	-165.3
Proposed budget increases:				
-Victim Witness Notification and Support	117.5	0.0	39.2	156.7
FY2002 Governor	1,612.0	0.0	206.8	1,818.8

Criminal Justice Litigation**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	17	17	Annual Salaries	1,017,777
Part-time	0	0	COLA	21,556
Nonpermanent	0	1	Premium Pay	0
			Annual Benefits	295,923
			<i>Less 2.76% Vacancy Factor</i>	(36,856)
			Lump Sum Premium Pay	0
Totals	17	18	Total Personal Services	1,298,400

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	0	0	1	0	1
Administrative Clerk III	0	0	1	0	1
Assoc Attorney I	1	0	0	0	1
Assoc Attorney II	0	0	4	0	4
Attorney IV	1	0	1	0	2
Attorney V	1	0	2	0	3
Attorney VI	0	0	1	0	1
Dep Attorney General	1	0	0	0	1
Legal Secretary I	2	0	1	0	3
Legal Secretary II	0	0	1	0	1
Totals	6	0	12	0	18

Component: Criminal Appeals/Special Litigation Component

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The Office of Special Prosecutions and Appeals (OSPA) represents the state in all felony appellate proceedings challenging convictions obtained in the trial courts, and handles most state and federal post-conviction and habeas corpus proceedings. These post-trial procedures are constitutionally required; when such actions are filed by convicted criminals the state must respond. Without these functions, the efforts of criminal justice agencies to detect and punish crime through investigation, trial, and conviction would be nullified.

(B) OSPA prosecutes economic and other complex crimes. In addition to filing criminal charges and conducting criminal trials, this office also gives day-to-day advice to special "white collar" investigation units. These prosecution services protect private investors, small businesses, and government agencies that are the victims of fraud or other wrongdoing. OSPA also handles civil litigation challenging statutes related to criminal justice, such as sex offender registration, victims' rights, and physician-assisted suicide.

(C) OSPA prosecutes environmental crimes through a reimbursable services agreement with the Department of Environmental Conservation. These prosecution services protect the state's air and water quality by providing advice and assistance to state environmental investigators and by prosecuting appropriate criminal cases.

(D) OSPA prosecutes welfare cheaters through a reimbursable services agreement with the Department of Health and Social Services. These prosecution services protect the state's welfare system.

(E) OSPA prosecutes medical providers who cheat the Medicaid system, through a federal grant and matching state general funds. The unit can institute criminal prosecution for fraud or civil actions for overpayments. In addition, the unit is responsible for investigating and prosecuting abuse of patients in Medicaid-funded facilities.

(F) OSPA prosecutes selected fish and game cases, depending on the importance of the case or the legal issues involved. Funding is provided by the Fish and Game Fund.

(G) OSPA prosecutes criminal child support enforcement matters through a reimbursable services agreement from the Department of Revenue.

(H) OSPA provides services to the entire state with eight appellate attorney positions, two "white collar crime" prosecutors and one environmental crimes prosecutor, one welfare fraud prosecutor, one Medicaid provider fraud prosecutor, one fish and game prosecutor, and a half-time child support enforcement prosecutor.

Component Goals and Strategies

The primary goal of the Office of Special Prosecutions and Appeals (OSPA) is to uphold criminal convictions on appeal and on collateral attack. Additional goals of OSPA are to assure safe and healthy communities by prosecuting and convicting offenders in the many special units now under the supervision of OSPA: (1) complex criminal cases, with special emphasis on "white collar" crime, (2) environmental crimes, (3) child support enforcement, (4) welfare fraud, (5) Medicaid provider fraud, and (6) selected fish and game prosecutions.

Key Component Issues for FY2001 – 2002

Key Issues are included at the BRU level.

Major Component Accomplishments for FY2000

Objective 1: Support the efforts of prosecution offices and law enforcement agencies by having criminal cases affirmed on appeal or in post-conviction litigation.

Approximately 70 percent of the workload of the Criminal Appeals/Special Litigation office is in writing appellate briefs in serious criminal cases. This workload is not within the control of the office, because these appellate cases are rarely initiated by the state. As more and more of the less serious cases are resolved in a way that avoids an appeal (i.e., by plea, rather than trial), it is only the more serious and complicated cases being appealed. Because the amount of work is largely beyond our control, and because the cases are becoming more complex, it is impossible to find a meaningful measure of accomplishment or comparison from year-to-year. However, the state prevails in the vast majority of the appeals it handles, and the office enjoys an excellent reputation in the appellate courts for thorough, thoughtful work.

Objective 2: Protect legitimate Alaska businesses and private citizens by assisting in the investigation and prosecution of white collar criminal cases.

Number of white collar cases reviewed or investigations assisted: 25

Objective 3: Protect Alaska's environment by assisting in the investigation and prosecution of environmental criminal cases.

Number of environmental crime cases reviewed or investigations assisted: 45

Objective 4: Protect Alaska's fish and game resources by assisting in the investigation and prosecution of fish and game criminal cases.

Number of selected commercial fishing cases prosecuted: 125

Number of selected commercial guiding cases prosecuted: 15

Number of other fish and game cases, with important legal or policy issues: 15

Amount of criminal fines assessed in fish and game cases: \$250,000

Objective 5: Protect the state's welfare system through the investigation and prosecution of welfare fraud cases.

Number of selected welfare fraud cases reviewed: 30

Amount of restitution ordered for welfare overpayments: \$112,000

Objective 6: Protect the state's Medicaid provider system through the investigation and prosecution of selected Medicaid fraud and patient abuse cases.

Number of fraud referrals or complaints reviewed: 130

Number of complaints of patient abuse investigated: 2

Amount of criminal fines or civil penalties obtained: \$400,000

Restitution orders and settlements obtained: \$600,000

Overpayments identified for administrative recoupment: \$60,000

Objective 7: Protect the state's child support system by through the investigation and prosecution of the most egregious cases of criminal nonsupport. When child support prosecutions are publicized many more people who owe child support voluntarily make arrangements to pay their arrearages, thus reducing the overall backlog of cases.

Number of referrals or complaints reviewed: 31

Number of selected cases prosecuted: 16

Statutory and Regulatory Authority

AS 44.23.020

Criminal Appeals/Special Litigation Component**Component Financial Summary***All dollars in thousands*

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,937.7	2,193.0	2,129.6
72000 Travel	45.1	49.3	49.3
73000 Contractual	181.2	272.0	259.4
74000 Supplies	51.8	42.7	42.7
75000 Equipment	6.0	5.0	5.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,221.8	2,562.0	2,486.0
Funding Sources:			
1002 Federal Receipts	345.8	483.6	480.4
1003 General Fund Match	115.6	158.0	158.6
1004 General Fund Receipts	1,282.1	1,367.5	1,307.9
1007 Inter-Agency Receipts	353.0	413.9	412.1
1024 Fish and Game Fund	0.0	1.6	0.0
1053 Investment Loss Trust Fund	0.0	9.0	0.0
1108 Statutory Designated Program Receipts	0.0	2.6	0.0
1134 Fish & Game Duplicated Expenditures	125.3	125.8	127.0
Funding Totals	2,221.8	2,562.0	2,486.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Federal Receipts	51010	345.8	483.6	476.1	480.4	480.4
Interagency Receipts	51015	353.0	413.9	376.3	412.1	412.1
Fish and Game Fund	51045	125.3	127.4	125.8	127.0	127.0
Statutory Designated Program Receipts	51063	0.0	2.6	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	9.0	0.0	0.0	0.0
Restricted Total		824.1	1,036.5	978.2	1,019.5	1,019.5
Total Estimated Revenues		824.1	1,036.5	978.2	1,019.5	1,019.5

Criminal Appeals/Special Litigation Component**Proposed Changes in Levels of Service for FY2002**

No changes were made in FY2001, and none are requested for FY2002.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	1,534.5	483.6	543.9	2,562.0
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	-63.0	0.0	0.0	-63.0
-Convert Special FY2001 Labor Cost Fund Sources to GF	2.6	0.0	-2.6	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-7.6	-3.2	-2.2	-13.0
FY2002 Governor	1,466.5	480.4	539.1	2,486.0

Criminal Appeals/Special Litigation Component**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	28	28	Annual Salaries	1,705,995
Part-time	3	3	COLA	33,414
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	502,240
			<i>Less 5.00% Vacancy Factor</i>	(112,082)
			Lump Sum Premium Pay	0
Totals	31	31	Total Personal Services	2,129,567

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	2	0	0	0	2
Assoc Attorney I	1	0	0	0	1
Attorney III	5	0	0	0	5
Attorney IV	4	0	0	0	4
Attorney V	7	0	0	0	7
Attorney VI	1	0	0	0	1
Internal Auditor IV	1	0	0	0	1
Investigator II	1	0	0	0	1
Investigator III	3	0	0	0	3
Legal Secretary I	4	0	0	0	4
Legal Secretary II	1	0	0	0	1
Paralegal Asst I	1	0	0	0	1
Totals	31	0	0	0	31

Civil Division Budget Request Unit

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BRU Mission

The mission of the Civil Division is to protect the human, financial, and natural resources of the state.

BRU Services Provided

The Civil Division BRU supports the Civil Division of the Department of Law. The Civil Division serves the interests of Alaska's citizens by providing legal counsel to the executive branch in all civil actions. The division defends and prosecutes civil litigation to which the state is a party; handles legal matters for and provides legal advice to the governor, executive branch agencies, and -- upon request -- the legislative and judicial branches; reviews regulations prepared by executive agencies; drafts legislation for introduction by the governor; and reviews all legislation before it is acted upon by the governor.

Activities of the Civil Division help protect the financial and natural resources of the state, defend Alaskans' access to the state's land and natural resources, and ensure that the laws and regulations that govern businesses, individuals, and government agencies are constitutional. The division takes action to protect children from abuse and neglect, enforce child support obligations, guarantee that state programs are administered fairly and that money owed to the state is collected, defend the state's interests relative to the federal government, and defend the state from unreasonable demands for payment of costs of lawsuits, personnel actions, and personal injuries. It protects the state's financial resources by advising agencies on decisions that might lead to financial claims, defending against unreasonable claims, and facilitating reasonable settlements or other appropriate resolution of issues.

The Civil Division BRU includes components supporting the following sections: (1) the Deputy Attorney General's Office; (2) Collections and Support; (3) Commercial; (4) Environmental Law; (5) Fair Business Practices; (6) Governmental Affairs; (7) Human Services; (8) Legislation and Regulations; (9) Natural Resources; (10) Oil, Gas and Mining; (11) Special Litigation; (12) Transportation; and (13) Timekeeping and Support.

(1) The Deputy Attorney General's Office supports the Deputy Attorney General as she assists the Attorney General and the department in carrying out its statutorily prescribed functions. The Deputy Attorney General for the Civil Division serves as the chief operating officer for the division and is responsible for leading, managing, and coordinating the activities of the attorneys and paraprofessionals in each of the substantive sections of the four locations of the Civil Division.

(2) The Collections and Support section consists of two units: the collections unit and the child support unit. The section protects the state's financial resources by collecting outstanding civil and criminal debts and protects Alaska's children by establishing paternity and ensuring compliance with child support orders. The collections unit collects unsecured debts owed to the state. The majority of these debts are criminal judgments, but the unit also collects various civil judgments and civil penalties. The child support enforcement unit represents the Child Support Enforcement Division (CSED) in court, provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSED.

(3) The Commercial section provides legal services on revenue and commercial matters; protects the integrity of the state's public finances through fair interpretation, implementation, enforcement, defense, or adoption of statutes and regulations governing state revenue, the permanent fund dividend, the employment security program, and lending programs; and protects public health and safety through fair interpretation, implementation, enforcement, defense, or adoption of statutes and regulations governing occupational licensing, alcoholic beverage control, banking, securities, and corporations. The section serves the Income and Excise Audit Division, Permanent Fund Dividend Division, Alaska Housing Finance Corporation, Alcoholic Beverage Control Board, Occupational Licensing Division, Investments Division, Banking, Securities and Corporations Division, Office of the Commissioner of Commerce, Employment Security Division, Alaska Commission on Postsecondary Education, Alaska Student Loan Corporation,

and the Agricultural Revolving Loan Fund. The section also protects the student loan program by providing legal services and advice to the agencies that direct the program.

(4) The Environmental Law section provides legal representation to state agencies for the investigation, defense, and prosecution of claims regarding contaminated sites around the state as well as legal advice on environmental matters. It also provides legal representation to state agencies for the defense and prosecution of claims regarding the EXXON VALDEZ oil spill, the reimbursement of oil spill-related costs, and the expenditure of restoration funds. It provides legal services to help recover the state's contribution to the Trans-Alaska Pipeline Liability Fund. The work of the Environmental Law section helps to protect the environment of the state, to ensure that the costs of contaminated site cleanup are borne by the responsible parties, to minimize the state's exposure to claims for damages relating to environmental problems, and to ensure that the costs of the EXXON VALDEZ are reimbursed to the fullest extent possible and that the available restoration funds are expended in accordance with the law and for the maximum benefit of the Alaska environment. It serves Alaskans by helping to protect the environment and restore already-damaged sites and by making sure that those who are responsible for environmental damage are required to pay the costs of remediation.

(5) The Fair Business Practices section, which includes the consumer protection/antitrust unit, protects the public by enforcing consumer protection and antitrust laws and by providing legal services and advice to the agencies that monitor insurance companies and personnel, public utilities, and certified teachers. The section also protects the public by handling enforcement actions in occupational licensing cases. Agencies served by the section include the following: Division of Occupational Licensing, Division of Insurance, Regulatory Commission of Alaska, the Professional Teaching Practices Commission, and Postsecondary Education.

(6) The Governmental Affairs section provides legal assistance needed for governmental management, including budget, public finance, employment, labor relations, civil rights, procurement, retirement programs, Medicaid rate disputes, and investment of treasury and Permanent Fund Corporation funds. It provides legal assistance on problems associated with institutional relationships within state government, the interaction between state and local governments, and the conduct of elections. The section provides legal assistance to the departments of Administration, Community and Economic Development, the Offices of the Governor and Lieutenant Governor, the Office of Management and Budget, the Permanent Fund Corporation, AIDEA, the Alaska Public Offices Commission, the Human Rights Commission, the Division of Elections, the Department of Labor, and the Alaska Court System.

(7) The Human Services section provides legal advice and representation to the Departments of Education and Early Development, Labor and Workforce Development, and Health and Social Services. It helps protect the public by providing legal services and advice to these agencies regarding the public school system and education issues, child protection, juvenile delinquency, foster and child care licensing, public health, workers' compensation, and occupational safety and health.

(8) The Legislation and Regulations section provides legal advice and review for constitutional and statutory requirements in the preparation of state legislation and regulations.

(9) The Natural Resources section provides legal advice and representation to state departments, boards, and commissions that regulate Alaska's lands, waters, and renewable natural resources. It protects Alaskans' interests by ensuring that the state's natural resources are managed and allocated by state agencies in a manner that is consistent with the law, defending against legal challenges to actions taken by the state's natural resource agencies, and pursuing legal actions against persons who are illegally using, damaging, or destroying Alaska's lands, waters, or renewable natural resources. The Mental Health Lands unit (in the Natural Resources section) defends the state against challenges to regulations governing land managed by the Alaska Mental Health Trust Authority, advises the authority and the Department of Natural Resources as they implement the settlement of the Mental Health Lands Trust dispute and develop new budgetary and administrative structures to manage the land, and deals with the concerns of land purchasers or mining claimants who claim to have been harmed by the settlement. The Natural Resources section supervisor oversees the activities of the Statehood Defense BRU.

(10) The Oil, Gas, and Mining section is responsible for litigating oil, gas, and mining resource disputes involving the state. It protects Alaskans' interests by making sure that the state receives the royalty and tax revenues to which it is entitled for current and past production, defending against challenges to state oil and gas lease sale programs, and protecting the state's title to resource-rich lands. The Oil, Gas, and Mining section supervisors oversee the activities budgeted for in the Oil & Gas Litigation and Legal Services BRU.

(11) The Special Litigation section provides legal defense in tort litigation cases filed against the state, state agencies, and state employees, including personal injury, property damage, and civil rights suits brought under 42 U.S.C. §1983. The section also provides defense in contested workers' compensation claims against the state, and provides advice and training to reduce the state's liability exposure. The section provides legal services to the Division of Risk Management and, through it, to all state agencies.

(12) The Transportation section provides legal advice to and representation of the Department of Transportation and Public Facilities. The section enhances the department's ability to efficiently provide the public infrastructure necessary for the safety and well-being of Alaskans by providing advice and representation on all aspects of the construction and operation of the state's public facilities, including building, highways, ferries, airports, harbors, communications facilities, and other public works.

(13) The Timekeeping and Support section, which is comprised of those cost elements of the Civil Division support pool that are division-wide, rather than section-specific, includes the costs of law office management (for the Juneau, Anchorage, and Fairbanks offices), case management, and division timekeeping and billing. The section provides day-to-day support to the legal staff by ensuring that resources necessary to perform their jobs are available. The section is responsible for maintaining work management and timekeeping records, providing accurate and timely billing to client agencies, and ensuring that office operations flow efficiently and unencumbered while state and department policies are followed and consistently applied.

BRU Goals and Strategies

- Provide effective legal advice to and representation of the state.
- Protect Alaska's children and youth by handling child abuse, neglect, and delinquency cases expeditiously.
- Ensure the state receives its correct share of oil and gas taxes and royalties; clarify and improve the rules governing taxpayers to reduce disputes and litigation.
- Resolve questions of state versus federal control and management of natural resources, lands, and waters.
- Increase collections of money owed the state by businesses and individuals for child support, fines, loans, and other unpaid obligations.
- Ensure that the department's legal review of regulations projects continues to be efficient, timely, and responsive to the needs of agencies and the public.

Key BRU Issues for FY2001 – 2002

CHILD PROTECTION

Child protection workloads continue to be of concern to the department. The rate of increase in the number of new cases appears to be slowing; however, existing caseloads remain high, particularly in Anchorage and Bethel. In addition, statutory changes at the state and federal level have necessitated important changes in how long children can remain in the child protection legal system, and when certain actions must occur, and they define parental responsibility more concretely. These changes move cases to conclusion faster to ensure that when reunification with the family is not in the child's best interest, the child can be made legally eligible for placement in a permanent home more quickly. The new accelerated schedules severely impact attorney workloads. Maintenance of our existing resources is necessary in order to manage this critical responsibility.

JUVENILE DELINQUENCY

Another key issue is the juvenile delinquency workload in the Anchorage Human Services section. While the number of cases has remained relatively constant over the past three years, workload has increased 53 percent since FY 1998. The Anchorage section handles the delinquency cases from the Kenai Peninsula, Dillingham, Naknek, and King Salmon, in addition to Anchorage. Cases are more complex, often involve multiple defendants and multiple defense attorneys, and are more often going to jury trial. Most of this increase has fallen on the one position in the Anchorage section devoted to juvenile delinquency. The Anchorage juvenile delinquency caseload has been of concern for some time. In FY99, the department requested, but did not receive, funding for a second juvenile delinquency position. The situation has only worsened since then.

CONSUMER PROTECTION AND ANTITRUST ENFORCEMENT

Alaska is a target state for many types of consumer fraud, among them telemarketing, prizes and sweepstakes, deceptive home business opportunity sales, automobile sales and service, and a variety of retail sales and services. Under the terms of the Alaska Consumer Protection Act, the Attorney General's office is authorized to investigate and bring enforcement action against businesses that engage in unfair or deceptive trade practices. Given the current resources and the large areas of enforcement the office is responsible for, we are still forced to turn away many legitimate cases of consumer fraud. Enforcement activities are directed to situations affecting a large number of consumers or involving large dollar amounts, and often there are not enough resources for those cases. However, we have been able to increase enforcement activity because of additional statutory designated program receipt resources appropriated to the civil division in FY01. Using existing resources, the division also has furthered current consumer protection activities by updating and refining the consumer complaint packet and the consumer complaint database and by establishing a consumer protection web page. The department will continue to take appropriate steps to ensure receipt of SDPR on a regular basis in FY02 to help fund the consumer protection program.

Major BRU Accomplishments for FY2000

Child Protection: The Civil Division participated in interagency effort on the Balloon Project to reduce backlog of children in foster care longer than new state and federal laws permit. As of October 15, 2000, 81 percent of these children were in a permanent placement, and in another 13 percent of the cases, the legal work to free these children for adoption is complete.

Cruise Ship Environmental Compliance: Achieved settlement with Royal Caribbean Cruise Lines relating to illegal discharges of oil and hazardous substances. Under the settlement, the state oil and hazardous substance response fund received \$725,000. In addition, \$2.1 million in spill response materials were made available to the state, a \$250,000, five-year cruise ship opacity monitoring program was initiated, and a \$250,000 geographical response strategy will be developed. The opacity monitoring program resulted in over 20 notices of violation being issued by ADEC for the 2000 cruise ship season.

Alaska Native Law Developments: Continued efforts to develop the law as it relates to Alaska Natives and the relationship between Alaska Natives and the state. We worked to resolve the law on tribal recognition and tribal authority post-Venette through our briefing and presentation to the Alaska Supreme Court in the landmark John v. Baker case. The court issued its decision in September 1999.

Oil and Gas: Continued our work on litigation involving oil and gas, bringing into the state treasury nearly \$450 million in tax and royalty settlements.

Consumer Protection and Antitrust Enforcement: Developed a comprehensive new consumer protection and antitrust web page which serves as a resource for Alaskans on a wide variety of consumer protection and antitrust issues, from dealing with mail order companies to buying used cars to protecting against telephone fraud to filing consumer complaints. We also updated and refined the consumer complaint packet and our consumer complaint database. The complaint packet and database assist in our work to resolve complaints, identify repeat problem areas, take enforcement action when warranted, and educate Alaska consumers.

Submerged Lands: Filed an original action in the United States Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska, including those within Glacier Bay National Park and the Tongass National Forest, and were successful in getting the Court to accept the case.

Civil Division
BRU Financial Summary by Component

All dollars in thousands

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures												
Dep. Attny General's Office	1,707.8	0.0	15.9	1,723.7	206.2	0.0	0.4	206.6	206.3	0.0	0.0	206.3
Collections and Support	286.8	0.0	1,258.7	1,545.5	345.6	0.0	1,348.2	1,693.8	596.0	0.0	1,342.3	1,938.3
Commercial Section	244.4	0.0	1,241.6	1,486.0	276.2	0.0	1,589.0	1,865.2	275.2	0.0	1,575.5	1,850.7
Environmental Law	592.5	0.0	792.3	1,384.8	644.7	0.0	632.0	1,276.7	641.3	0.0	627.6	1,268.9
Fair Business Practices	437.7	0.0	909.9	1,347.6	486.7	0.0	874.6	1,361.3	483.8	0.0	1,071.9	1,555.7
Governmental Affairs	1,081.4	0.0	1,787.7	2,869.1	1,183.3	0.0	1,992.8	3,176.1	1,039.5	0.0	1,656.1	2,695.6
Human Services	2,756.6	0.0	1,245.4	4,002.0	2,807.7	0.0	637.6	3,445.3	2,937.3	0.0	959.7	3,897.0
Legislation/Regulations	392.9	0.0	92.6	485.5	375.7	0.0	128.9	504.6	375.2	0.0	127.2	502.4
Mental Health Lands	24.8	0.0	21.1	45.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Natural Resources	888.5	0.0	218.9	1,107.4	963.1	0.0	311.0	1,274.1	960.4	0.0	307.6	1,268.0
Oil, Gas and Mining	0.0	0.0	2,660.0	2,660.0	0.0	0.0	2,884.3	2,884.3	0.0	0.0	2,867.9	2,867.9
Special Litigation	23.1	0.0	2,027.6	2,050.7	79.7	0.0	2,227.5	2,307.2	0.0	0.0	2,354.3	2,354.3
Transportation Section	0.0	0.0	1,887.4	1,887.4	0.0	0.0	2,001.1	2,001.1	0.0	0.0	2,065.8	2,065.8
Timekeeping and Support	0.0	0.0	605.0	605.0	16.1	0.0	720.5	736.6	15.9	0.0	719.2	735.1
Totals	8,436.5	0.0	14,764.1	23,200.6	7,385.0	0.0	15,347.9	22,732.9	7,530.9	0.0	15,675.1	23,206.0

Civil Division**Proposed Changes in Levels of Service for FY2002**

\$137,000 in general funds for one new attorney to handle the growing juvenile delinquency caseload is requested in the Human Services component; \$250,000 is requested in the Collections and Support component for the Victim's Restitution project. Funding to increase the staffing in the Fair Business Practices, Transportation and Special Litigation sections through increases to interagency receipts is also sought. See detailed discussion at the department and component levels.

Civil Division**Summary of BRU Budget Changes by Component****From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	7,385.0	0.0	15,347.9	22,732.9
Adjustments which will continue current level of service:				
-Dep. Attny General's Office	0.1	0.0	-0.4	-0.3
-Collections and Support	0.4	0.0	-5.9	-5.5
-Commercial Section	-1.0	0.0	-13.5	-14.5
-Environmental Law	-3.4	0.0	-4.4	-7.8
-Fair Business Practices	-2.9	0.0	-32.7	-35.6
-Governmental Affairs	-233.8	0.0	-336.7	-570.5
-Human Services	-7.4	0.0	24.3	16.9
-Legislation/Regulations	-0.5	0.0	-1.7	-2.2
-Natural Resources	-2.7	0.0	-3.4	-6.1
-Oil, Gas and Mining	0.0	0.0	-16.4	-16.4
-Special Litigation	-79.7	0.0	-10.2	-89.9
-Transportation Section	0.0	0.0	-10.9	-10.9
-Timekeeping and Support	-0.2	0.0	-1.3	-1.5
Proposed budget increases:				
-Collections and Support	250.0	0.0	0.0	250.0
-Fair Business Practices	0.0	0.0	230.0	230.0
-Governmental Affairs	90.0	0.0	0.0	90.0
-Human Services	137.0	0.0	297.8	434.8
-Special Litigation	0.0	0.0	137.0	137.0
-Transportation Section	0.0	0.0	75.6	75.6
FY2002 Governor	7,530.9	0.0	15,675.1	23,206.0

Component: Deputy Attorney General's Office

Contact: Barbara Ritchie, Deputy Attorney General

Tel: (907) 465-2133 **Fax:** (907) 465-2075 **E-mail:** barbara_ritchie@law.state.ak.us

Component Mission

Mission statement is included at the department level.

Component Services Provided

The Deputy Attorney General for the Civil Division serves as the chief operating officer for the division. In this role, the deputy is responsible for leading, managing, and coordinating the activities of the attorneys and paraprofessionals in each of the substantive sections of the four locations of the Civil Division (Juneau, Anchorage, Fairbanks, and Bethel). The deputy works closely with the attorney managers/supervisors on issues and cases that require input or direction from the Attorney General or other policy-level officers. This component supports the deputy as she assists the Attorney General and the department in carrying out its statutorily prescribed functions.

The deputy heads up the management team for the division, and in that role works closely with the office chiefs/supervisors and Administrative Services to manage a wide variety of administrative functions. The deputy is responsible for working with Administrative Services to prepare the annual budget for the division and present and defend the budget before the legislature. The deputy is also responsible for making and implementing decisions regarding the division's budget and staffing throughout the fiscal year.

The deputy also serves as the Indian law coordinator for the Department of Law. In this capacity, the deputy is responsible for knowing the status of cases and matters implicating Indian law issues ongoing or anticipated throughout the department. The deputy is responsible for ensuring consistency in approach in these matters and for informing staff of the issues and providing direction as appropriate.

Component Goals and Strategies

Manage and supervise the functions of the Civil Division offices in Juneau, Anchorage, Fairbanks, and Bethel.

Oversee and coordinate the activities of all the substantive law sections of the Civil Division to maximize productivity, maintain adequate resources for pursuing cases, ensure the highest quality possible in the representation and advice to state agencies, and maintain consistency in approaches, policy issues, settlements, and appellate practice.

Work with the Attorney General and the Administrative Services Division on the preparation of the budget for the Civil Division, and present and defend the division's budget to the legislature.

Oversee and coordinate the activities of the Department of Law in the area of Indian law.

Ensure that the legal advice and representation provided to state agencies by the Civil Division are of the highest quality possible and is provided in a cost-effective manner.

Ensure that the Civil Division is adequately funded and staffed to carry out its statutorily prescribed functions.

Key Component Issues for FY2001 – 2002

See Key BRU issues for FY 2001 - 2002 for the Civil Division regarding child protection, juvenile delinquency, and consumer protection and antitrust enforcement.

Major Component Accomplishments for FY2000

- See Major BRU Accomplishments for Civil Division for FY 2000.
- Began discussions, as part of the State-Tribal Relations Team, with Alaska's federally recognized tribes to define the nature of a government-to-government relationship between the state and the tribes.

Statutory and Regulatory Authority

AS 44.23.020

FY2000 Actuals total includes payment of judgments and claims under Ch.135, SLA 2000 Sec. 27.

Deputy Attorney General's Office

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	160.7	164.2	167.0
72000 Travel	4.5	8.0	8.0
73000 Contractual	149.5	32.4	27.7
74000 Supplies	6.5	2.0	3.6
75000 Equipment	0.2	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	1,402.3	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,723.7	206.6	206.3
Funding Sources:			
1004 General Fund Receipts	1,707.8	205.2	206.3
1029 Public Employees Retirement Fund	11.5	0.0	0.0
1050 Permanent Fund Dividend Fund	4.4	0.0	0.0
1053 Investment Loss Trust Fund	0.0	1.0	0.0
1108 Statutory Designated Program Receipts	0.0	0.4	0.0
Funding Totals	1,723.7	206.6	206.3

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	21.7	0.0	0.0	0.0	0.0
Unrestricted Total		21.7	0.0	0.0	0.0	0.0
Restricted Revenues						
Statutory Designated Program Receipts	51063	0.0	0.4	0.0	0.0	0.0
Public Employees Retirement Fund	51065	11.5	0.0	0.0	0.0	0.0
Permanent Fund Dividend Fund	51160	4.4	0.0	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	1.0	0.0	0.0	0.0
Restricted Total		15.9	1.4	0.0	0.0	0.0
Total Estimated Revenues		37.6	1.4	0.0	0.0	0.0

Deputy Attorney General's Office
Proposed Changes in Levels of Service for FY2002

None.

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	206.2	0.0	0.4	206.6
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	0.4	0.0	-0.4	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-0.3	0.0	0.0	-0.3
FY2002 Governor	206.3	0.0	0.0	206.3

Deputy Attorney General's Office**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	2	2	Annual Salaries	128,825
Part-time	0	0	COLA	2,525
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	35,612
			<i>Less 0.00% Vacancy Factor</i>	(0)
			Lump Sum Premium Pay	0
Totals	2	2	Total Personal Services	166,962

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Dep Attorney General	0	0	1	0	1
Legal Secretary II	0	0	1	0	1
Totals	0	0	2	0	2

Component: Collections and Support

Contact: Diane Wendlandt, Assistant Attorney General

Tel: (907) 269-5100 **Fax:** (907) 278-3458 **E-mail:** diane_wendlandt@law.state.ak.us

Component Mission

Support CSED's efforts to assure that, to the extent possible, children are adequately supported financially by their parents and that the state receives reimbursement for public assistance paid on behalf of those children. Assure collection of criminal judgments and other debts owed to the state.

Component Services Provided

The Collections and Support section consists of two units: the collections unit and the child support unit. The collections unit collects unsecured debts owed to the state. The majority of these debts are criminal judgments (fines, judgments for the cost of appointed counsel, and judgments for the cost of incarceration on DWI charges and court and collection costs in minor offense cases). In addition, the collections unit collects various civil judgments, including attorney fee awards, and civil penalties entered by agencies such as OSHA and APOC.

The child support unit represents the Child Support Enforcement Division (CSED) in court, including paternity establishment and disestablishment, establishment and modification of child support orders, employer non-compliance actions, criminal non-support prosecutions, licensing appeals, and miscellaneous other activities related to enforcement of child support orders. In addition, the unit provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSED.

Component Goals and Strategies

1. Assure that child support orders accurately reflect the non-custodial parent's ability to pay and are in compliance with Alaska's child support guidelines.
2. Aid in the collection of child support by assuring that employers within Alaska comply with administrative withholding orders.
3. Assure that paternity is established for Alaska children born out of wedlock.
4. Protect the interest of custodial parents, children, and the State of Alaska, when a non-custodial parent files for bankruptcy.
5. Collect money owed the state on civil judgments and penalties, criminal fines, public defender costs, and costs of incarceration where allowed by law.
6. Initiate paternity actions and actions to recover child support payments on behalf of children and their custodial parents, and on behalf of the state, where children receive welfare benefits.
7. Enforce compliance by employers with wage-withholding requirements.
8. Improve the quality of the child support enforcement services provided by CSED and the AGO to parents in Alaska and elsewhere.

Key Component Issues for FY2001 – 2002

1. Upgrading the Oracle database to assure more efficient collection of new judgment types and to allow more accurate and complete reporting of collection data.

2. Assisting CSED in addressing legal issues related to the repeal of 1997 and 1998 welfare reform legislation.

Major Component Accomplishments for FY2000

1. The collections unit of the Collections & Support Section collected over \$2.7 million in FY 2000. These collections included criminal fines, cost of appointed counsel, cost of imprisonment, and civil judgments owed to the State of Alaska.

2. The section resolved and closed more than 1,400 child support files in FY2000. These files included paternity establishment and disestablishment cases, appeals, bankruptcies, motions for the establishment and modification of child support orders, license suspensions, employer noncompliance claims, and miscellaneous enforcement actions and claims against the State of Alaska.

3. The section was instrumental in establishing paternity through court proceedings for over 300 children in Alaska and elsewhere. In addition, the section assisted in the exclusion of putative fathers through genetic testing and dismissal of court proceedings in an additional 63 cases.

4. The section completed approximately 540 modifications of Alaska child support orders through court proceedings, thus assuring that these support orders comply with the child support guidelines set forth in Alaska Civil Rule 90.3. This assures that the children receive the proper amount of support to which they are entitled under Alaska law.

5. The assistant attorney general assigned to this section by the Criminal Division's Office of Special Prosecutions and Appeals prosecuted 16 delinquent child support obligors and persons aiding delinquent obligors for criminal nonsupport and related criminal conduct. As a direct result of these prosecutions, the delinquent obligors in question have paid more than \$57,000 toward their child support obligations in FY 2000, with ongoing monthly payments continuing under court orders.

6. The section obtained favorable rulings in a series of supreme court cases relating to the interpretation and application of Civil Rule 90.3 and the child support statutes. Among other things, these decisions (1) strengthened the right of the state to collect public assistance reimbursement (*State, Dept of Revenue, Child Support Enforcement Div. v. Green*, 983 P.2d 1249 (Alaska 1999); *State, Dept of Revenue, Child Support Enforcement Div. v. Leitch*, 999 P.2d 782 (Alaska 2000)); (2) supported the rights of parents to obtain post-majority support while their children are eighteen and still in high school (*State, Dept of Revenue, Child Support Enforcement Div. v. McCormick*, 3 P.3d 930 (Alaska 2000); *Scully v. Scully*, 987 P.2d 743 (Alaska 1999)); and (3) clarified several issues relating to interstate child support law and the prohibition against retroactive modification of child support (*Wall v. Stinson*, 983 P.2d 736 (Alaska 1999); *State, Child Support Enforcement Div. v. Bromley*, 987 P.2d 183 (Alaska 1999); *State, Dep't of Revenue, Child Support Enforcement Div. v. Schofield*, 993 P.2d 405 (Alaska 1999)).

7. The section participated in the development of a body of case law relating to the establishment and disestablishment of paternity, especially in cases where a child has both a legal father (based on marriage or a voluntary acknowledgment of paternity) and a biological father. *Kilpper v. State, Dept of Revenue, Child Support Enforcement Div.*, 983 P.2d 729 (Alaska 1999); *State, Dept of Revenue, Child Support Enforcement Div. v. Kovac*, 984 P.2d 1109 (Alaska 1999); *Meyer v. State, Dept of Revenue, Child Support Enforcement Div.*, 994 P.2d 365 (Alaska 1999). Alaska is in the forefront of the country with respect to this changing area of law. Thus, although this section did not always prevail in these cases, the briefing and arguments submitted by this section aided the court in establishing coherent and consistent rules in this area of law. The section also assisted CSED in developing policies and procedures for establishing paternity and support orders against biological fathers where another man is presumed to be the child's father.

Statutory and Regulatory Authority

AS 25.27.050, AS 44.23.020

Collections and Support

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,232.1	1,327.4	1,382.2
72000 Travel	6.9	13.3	23.6
73000 Contractual	269.0	324.3	449.5
74000 Supplies	22.2	28.8	33.0
75000 Equipment	15.3	0.0	50.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,545.5	1,693.8	1,938.3
Funding Sources:			
1004 General Fund Receipts	0.0	0.0	250.6
1005 General Fund/Program Receipts	286.8	338.7	345.4
1007 Inter-Agency Receipts	1,258.7	1,348.2	1,342.3
1053 Investment Loss Trust Fund	0.0	6.9	0.0
Funding Totals	1,545.5	1,693.8	1,938.3

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	1,421.1	0.0	2,726.2	0.0	2,761.4
Unrestricted Total		1,421.1	0.0	2,726.2	0.0	2,761.4
Restricted Revenues						
Interagency Receipts	51015	1,258.7	1,348.2	1,324.5	1,342.3	1,342.3
General Fund Program Receipts	51060	286.8	338.7	338.6	345.4	345.4
Investment Loss Trust Fund	51393	0.0	6.9	0.0	0.0	0.0
Restricted Total		1,545.5	1,693.8	1,663.1	1,687.7	1,687.7
Total Estimated Revenues		2,966.6	1,693.8	4,389.3	1,687.7	4,449.1

Collections and Support

Proposed Changes in Levels of Service for FY2002

Victim Restitution

The Collections section in the Civil Division will participate in this project by tracking court judgments ordering the payment of restitution to crime victims. Currently, the Unit collects criminal fines and related costs and certain civil judgments and administrative penalties. The primary means of collecting these judgments is through annual automated attachment of permanent funds dividends. For civil judgments, additional collection actions may be taken, including attachment of bank accounts, garnishment of wages, and judgment debtor exams. With only a few exceptions, all money collected by the Unit is paid to the general fund. Thus, the Unit does not currently track individual payees. The same collection approach would be applied to the victim restitution judgments, however, what would change would be the requirement to make payments to the victims, rather than simply deposit collections into the general fund. Additional staff to handle the increased workload plus funds to upgrade the Collections computer system are requested in the amount of \$250,000 in general funds.

Summary of Component Budget Changes

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	345.6	0.0	1,348.2	1,693.8
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY 2001	0.4	0.0	-5.9	-5.5
Proposed budget increases:				
-Victim Restitution Project Funding and Positions	250.0	0.0	0.0	250.0
FY2002 Governor	596.0	0.0	1,342.3	1,938.3

Collections and Support**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	21	22	Annual Salaries	1,063,726
Part-time	0	0	COLA	19,568
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	340,179
			<i>Less 2.90% Vacancy Factor</i>	(41,273)
			Lump Sum Premium Pay	0
Totals	21	22	Total Personal Services	1,382,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk I	1	0	0	0	1
Administrative Clerk II	2	0	0	0	2
Assoc Attorney I	1	0	0	0	1
Assoc Attorney II	2	0	0	0	2
Attorney III	2	0	0	0	2
Attorney IV	2	1	0	0	3
Attorney V	2	0	0	0	2
Legal Secretary I	5	0	0	0	5
Legal Secretary II	1	0	0	0	1
Paralegal Asst II	2	1	0	0	3
Totals	20	2	0	0	22

Component: Commercial Section

Contact: Dan Branch, Assistant Attorney General

Tel: (907) 465-3600 **Fax:** (907) 465-2539 **E-mail:** dan_branch@law.state.ak.us

Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Provide representation, defense, advice, and counsel to the following divisions and corporations within the Departments of Revenue, Community and Economic Development, Labor and Workforce Development, Natural Resources and Law.

DEPARTMENT OF REVENUE:

Income and Excise Audit Division:

- Assist in negotiation of income and excise tax settlements.
- Defend appeals of tax assessments.
- Defend tax legislation against constitutional challenges.
- Appeal adverse decisions of the office of tax appeals to the superior court.
- Defend appeals or original actions on unclaimed property and provide legal advice concerning contracts with third parties for collection of unclaimed property.
- Defend appeals or original actions in enforcement of charitable gaming.

Permanent Fund Dividend Division:

- Defend appeals of dividend denials.
- Assist in drafting regulations.

Alaska Housing Finance Corporation:

- Act as corporate counsel providing general advice on personnel, procurement, and contractual matters.
- Provide legal advice relating to AHFC's mortgage lending, public housing, and residential energy activities.
- Represent the corporation in litigation.

Alcoholic Beverage Control Board:

- Provide legal advice regarding the issuance and renewal of alcoholic beverage licenses and on disciplinary matters relating to license holders.
- Assist the board with the drafting and adoption of regulations.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

Occupational Licensing Division:

- Assist in negotiation of settlements or resolutions of license denials and license discipline.
- Defend appeals of license denial and license discipline.
- Advise professional boards on legislative and constitutional limitations on their authority.
- Assist in drafting and repealing of regulations.

Investments:

- Obtain judgments on defaulted loans.

Banking, Securities and Corporations:

- Defend appeals of cease and desist orders against securities brokers and salespeople.
- Defend appeals of orders regarding proxy challenges.

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT:

Employment Security Division:

- Provide employment security tax collection activities.

DEPARTMENT OF NATURAL RESOURCES:

Agricultural Revolving Loan Fund:

- Act as legal counsel to the Division of Agriculture on matters relating to agricultural loans and foreclosed properties.

Component Goals and Strategies

Provide legal services on revenue and commercial matters.

Protect the integrity of the public fisc through fair interpretation, implementation, enforcement, defense, or adoption of Alaska's revenue, permanent fund dividend, employment security, and lending statutes and regulations.

Protect public health and safety through fair interpretation, implementation, enforcement, defense, or adoption of Alaska's occupational licensing, alcoholic beverage control, banking, securities and corporation, statutes and regulations.

Provide representation and legal advice (attorney general opinions) to client agencies and boards.

Defend appeals of income and excise tax assessments.

Defend appeals of permanent fund dividend denials (Juneau).

Defend appeals of occupational license denials or discipline.

Defend appeals of cease and desist orders entered by the Division of Banking, Securities, and Corporations.

Collect money owed the state on defaulted investments, and Alaska Housing Finance Corporation and agricultural loans.

Prepare and review all legislation and regulations on behalf of client agencies and boards.

Key Component Issues for FY2001 – 2002

The authority of the Department of Law to bring actions to prevent abuse of the charitable gaming laws and regulations, independent of the Department of Revenue.

Major Component Accomplishments for FY2000

Briefed and argued cases in the Alaska Supreme Court on tax issues, liquor licensing, landlord-tenant law and occupational licensing cases.

Represented the Department of Revenue's gaming unit in suit for damages against a manager of a charitable gaming operation and an owner of a bingo supply company. After the superior court issued an order that would have prevented Revenue from litigating many of its claims, the section successfully petitioned the Alaska Supreme Court to review the order. The court rarely grants such petitions.

Defended cease and desist order concerning misleading proxy in administrative hearing.

Brought 25 cases against employers who failed to pay employment security taxes.

Represented state agencies in at least 15 bankruptcy proceedings.

Filed 2 housing fraud cases for AHFC including obtaining a \$52,592 judgment.

Obtained dismissal of \$25 million personal injury claim against AHFC.

Completed 2 quiet title actions for AHFC.

Closed four Agricultural Revolving Loan Fund collection cases.

Advised and assisted the Alcoholic Beverage Control Board staff in filing 4 accusations against liquor license holders.

Assisted and advised state agencies on numerous legislation and regulations projects.

Revised state hearing officer's manual.

Represented state occupational licensing boards in 40 administrative proceedings in license denial cases.

Represented the Department of Revenue before the Alaska Supreme Court in two cases where the court affirmed the Department's denial of the appellant's applications for Alaska Permanent Fund Dividends.

Statutory and Regulatory Authority

AS 44.23.020

Commercial Section

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,086.6	1,148.2	1,164.9
72000 Travel	23.1	18.2	18.2
73000 Contractual	344.9	673.8	642.6
74000 Supplies	16.9	25.0	25.0
75000 Equipment	14.5	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,486.0	1,865.2	1,850.7
Funding Sources:			
1004 General Fund Receipts	244.4	274.8	275.2
1007 Inter-Agency Receipts	1,241.6	1,588.5	1,575.5
1053 Investment Loss Trust Fund	0.0	1.4	0.0
1108 Statutory Designated Program Receipts	0.0	0.5	0.0
Funding Totals	1,486.0	1,865.2	1,850.7

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	0.2	0.0	0.0	0.0	0.0
Unrestricted Total		0.2	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	1,241.6	1,588.5	1,580.1	1,575.5	1,652.9
Statutory Designated Program Receipts	51063	0.0	0.5	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	1.4	0.0	0.0	0.0
Restricted Total		1,241.6	1,590.4	1,580.1	1,575.5	1,652.9
Total Estimated Revenues		1,241.8	1,590.4	1,580.1	1,575.5	1,652.9

Commercial Section**Proposed Changes in Levels of Service for FY2002**

No service changes.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	276.2	0.0	1,589.0	1,865.2
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	0.5	0.0	-0.5	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-1.5	0.0	-13.0	-14.5
FY2002 Governor	275.2	0.0	1,575.5	1,850.7

Commercial Section**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	13	14	Annual Salaries	929,711
Part-time	1	2	COLA	20,014
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	263,719
			<i>Less 4.00% Vacancy Factor</i>	(48,538)
			Lump Sum Premium Pay	0
Totals	14	16	Total Personal Services	1,164,906

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	0	0	1	0	1
Attorney II	0	0	1	0	1
Attorney III	2	0	1	0	3
Attorney IV	4	0	0	0	4
Attorney V	1	0	2	0	3
Legal Secretary I	2	0	1	0	3
Legal Secretary II	1	0	0	0	1
Totals	10	0	6	0	16

Component: Environmental Law

Contact: Craig Tillery, Assistant Attorney General

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Component Mission

Mission statement is included at the department summary and BRU levels.

Component Services Provided

Environmental Law provides legal representation to state agencies for the investigation, defense and prosecution of claims regarding contaminated sites around the state as well as legal advice on environmental matters. The section also provides legal representation to state agencies for the defense and prosecution of claims regarding the EXXON VALDEZ oil spill, the reimbursement of oil spill-related costs and the expenditure of restoration funds. It provides legal services in connection with obtaining recovery of the state's contribution to the Trans-Alaska Pipeline Liability Fund. Environmental Law also provides paralegal services, data collection and processing to support the activities. The budgeted cost of the Environmental Law section is relatively modest in comparison to the revenues that may be returned to the state treasury through its efforts.

The section was established in 1989 in the aftermath of the EXXON VALDEZ oil spill to force superior court in action against Exxon, Alyeska, and the TAPS Owner Companies alleging a number of violations of state law and seeking a broad array of damages, including a claim for injuries to the state's natural resources. In March 1991, the state filed an action in federal court seeking restoration costs and natural resource damages under the Clean Water Act. That effort has culminated in a remarkable series of agreements that have brought over \$1 billion to the state for restoration of the oil spill impacted area and reimbursement of state and federal response, damage assessment, and litigation expenditures. While the case has settled as to the state's claims and liabilities, work remains concerning expenditure of the restoration funds and securing reimbursement of oil spill-related expenses. Some closely related matters, such as recovering the state's contribution to the Trans-Alaska Pipeline Liability Fund, are also undertaken through this component.

In 1993 the expertise of the EXXON VALDEZ litigation team was, in part, redirected to initiate and implement a special project to force the cleanup and to recover for costs and damages related to contaminated sites around the state that pose an imminent or substantial threat to public health or the environment.

In order to deal effectively with these environmental threats and to ensure that those responsible for environmental degradation pay for the costs to the state of their actions, DEC requires substantial assistance from the Department of Law. [See "DEC Cost Recovery Policy & Procedures" (August 1993)]. Department staff, utilizing information from DEC's contaminated sites database, gather information and documentation on the priority sites. Department attorneys then perform a legal analysis of the sites' potential for responsible party cleanup or state cost recovery action. To accomplish this, the department identifies "responsible parties" at these priority sites as well as those parties' financial ability to initiate remediation and the potential for success of legal action. In consultation with DEC, department attorneys pursue appropriate enforcement actions to ensure cleanup at these sites or recommend to DEC that the state initiate a state led cleanup. In either case, the department pursues appropriate reimbursement of any state cleanup expenditures. The department consults with DEC in decisions to release a potentially responsible party from liability when available evidence indicates that the party is not, in fact, liable.

The Environmental section defends environmental lawsuits against the state. The section is also involved in prosecuting a cruise line that fouled Alaska's waters with oil and hazardous wastes and continues to be involved in the state's oversight of the cruise ship industry. Finally, the department uses funds from this component to provide advice to agencies, primarily DEC, about environmental compliance issues.

Component Goals and Strategies

Maximize the state's efforts to secure cleanup of contaminated sites and to ensure, to the greatest extent possible, that the costs of such cleanup are borne by the responsible parties.

Provide advice to the Department of Environmental Conservation (DEC) for measures relating to protection of the environment.

Minimize the monetary exposure of the state to claims by the United States and third parties for damages relating to environmental problems.

Ensure that EXXON VALDEZ costs are reimbursed to the fullest extent possible and that the available restoration funds are expended in accordance with law and for the maximum benefit of the Alaska environment.

Recover for the state costs to which it is entitled arising out of the EXXON VALDEZ oil spill.

Work with state and federal agencies and the EXXON VALDEZ Oil Spill Trustee Council to provide for the appropriate restoration of the natural resources damaged by the EXXON VALDEZ oil spill.

Obtain complete recovery of those contributions made by the state to the Trans-Alaska Pipeline Liability Fund.

Work with state agencies in the prosecution of litigation related to cleanup and cost recovery from responsible parties for contaminated sites in the state.

Promote responsible protection for the environment of Alaska.

Provide for the defense of environmental claims against the state.

Key Component Issues for FY2001 – 2002

No key issues.

Major Component Accomplishments for FY2000

In FY 2000, the department recovered over \$2,071,000 for state costs and penalties related to contaminated sites, obtained cleanup agreements with polluters with an estimated value of almost \$4.1 million, and recovered approximately \$3,750,000 for EXXON VALDEZ oil spill related matters. To accomplish this, the department expended only \$1,385,000.

During FY 2000, the State received approximately \$24.7 million from the Trans-Alaska Pipeline Liability Fund as a result of the efforts of the Department.

In separate activities under this component, the department defended several potentially significant lawsuits where the state was alleged to have violated environmental laws with claimed damages in the millions of dollars. The department successfully prosecuted litigation against a cruise line which fouled Alaska's waters with oil and hazardous wastes and continues to be involved in the state's oversight of that industry. The department also participated in lawsuits, such as those involving the Prince William Sound contingency plan, where the interests of the state are under attack based upon alleged violations of environmental laws.

Statutory and Regulatory Authority

AS 44.23.020

Environmental Law

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,009.0	953.8	903.6
72000 Travel	14.9	38.8	43.9
73000 Contractual	331.8	254.2	287.6
74000 Supplies	15.7	29.9	33.8
75000 Equipment	13.4	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,384.8	1,276.7	1,268.9
Funding Sources:			
1004 General Fund Receipts	592.5	607.5	607.8
1005 General Fund/Program Receipts	0.0	33.5	33.5
1007 Inter-Agency Receipts	371.6	157.7	156.8
1053 Investment Loss Trust Fund	0.0	3.7	0.0
1055 Inter-agency/Oil & Hazardous Waste	420.7	473.1	470.8
1108 Statutory Designated Program Receipts	0.0	1.2	0.0
Funding Totals	1,384.8	1,276.7	1,268.9

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Interagency Receipts	51015	371.6	157.7	181.2	156.8	156.8
General Fund Program Receipts	51060	0.0	33.5	33.5	33.5	33.5
Statutory Designated Program Receipts	51063	0.0	1.2	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	3.7	0.0	0.0	0.0
Interagency Recs./Oil & Hazardous Waste	51395	420.7	473.1	449.9	470.8	470.8
Restricted Total		792.3	669.2	664.6	661.1	661.1
Total Estimated Revenues		792.3	669.2	664.6	661.1	661.1

Environmental Law**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	644.7	0.0	632.0	1,276.7
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.2	0.0	-1.2	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-4.6	0.0	-3.2	-7.8
FY2002 Governor	641.3	0.0	627.6	1,268.9

Environmental Law**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	12	11	Annual Salaries	721,779
Part-time	2	1	COLA	15,446
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	204,002
			<i>Less 4.00% Vacancy Factor</i>	(37,649)
			Lump Sum Premium Pay	0
Totals	14	12	Total Personal Services	903,578

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	1	0	0	0	1
Attorney III	1	0	0	0	1
Attorney IV	3	1	1	0	5
Attorney V	2	0	0	0	2
Legal Secretary I	1	0	0	0	1
Legal Secretary II	1	0	0	0	1
Paralegal Asst II	1	0	0	0	1
Totals	10	1	1	0	12

Component: Fair Business Practices

Contact: Signe Andersen, Assistant Attorney General

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Enforce the state's consumer protection and antitrust laws and exercise the Attorney General's authority under federal antitrust laws.

Provide advice, representation, defense in court proceedings, and legislative and regulations drafting to the following commissions, divisions and corporations within the following departments:

Department of Community and Economic Development: the Regulatory Commission of Alaska (includes representation of staff when staff is designated as an advocate); Division of Insurance (includes representation of staff in administrative enforcement actions); Division of Occupational Licensing (includes representation of division in administrative enforcement actions before the various occupational boards and commissions); Department of Education and Early Development: Professional Teaching Practices Commission (includes representation of staff in disciplinary proceedings).

Component Goals and Strategies

Protect the public by enforcing consumer protection and antitrust laws.

Protect the public by providing enforcement support and advice to agencies that monitor compliance of business licensees with statutes prohibiting the sale of tobacco products to minors.

Protect the public by providing legal services and advice to the agencies that monitor insurance companies and licensees, occupational licensees, public utilities, and certified teachers.

Provide representation and legal advice to the agencies, staff, and boards and commissions of the agencies represented by the section.

Assist the represented agencies in negotiating contracts for procuring services.

Investigate violations of consumer protection laws and initiate enforcement action in appropriate cases.

Key Component Issues for FY2001 – 2002

Alaska is a target state for many types of consumer fraud. Under the terms of the Consumer Protection Act (AS 45.50.471 et seq.), the Attorney General's office is authorized to investigate and bring enforcement action against businesses that engage in unfair or deceptive trade practices. Given the current funding and staffing level and the large areas of enforcement the office is responsible for, it is still forced to turn away many legitimate cases of consumer fraud. Enforcement activities are directed to situations affecting a large number of consumers or involving large dollar amounts, and often there are not enough resources for even those cases. We have been able to increase enforcement activity because of additional statutory designated program receipt resources appropriated to this component beginning in FY2000. Using existing resources, the department also has furthered current consumer protection activities by updating and refining the consumer complaint packet and the consumer complaint database and by establishing a consumer protection web page. The department will continue to take appropriate steps to

ensure receipt of statutory designated program receipts on a regular basis in FY2002 to help fund the consumer protection program.

Major Component Accomplishments for FY2000

Generally

Successfully prosecuted an appeal before the Alaska Supreme Court seeking reversal of a superior court order that the state was barred from issuing a belated decision in an insurance license discipline matter.

Consumer Protection/Antitrust

Successfully negotiated settlements in two auto dealers cases involving multiple violations of Alaska's Unfair and Deceptive Trade Practices Act, the federal Truth in Lending Act, and the federal Magnuson-Moss Warranty Act; both settlements will involve payment of restitution to consumers and substantial civil penalties to the state.

Obtained injunctive relief prohibiting deceptive practices relating to Wade Cook financial seminars and obtaining payment of thousands of dollars in restitution to Alaskan consumers and, approximately \$11,000 to the state for consumer protection education and enforcement.

Successfully prosecuted an action against an auto dealer for failing to register under state law and obtain required bonding.

Reached a settlement with generic drug manufacturers and vitamin manufacturers in two multi-state price-fixing cases. The settlements provide for injunctive relief, payment of approximately \$85,000 in restitution on behalf of state government purchasers, payment of thousands of dollars in restitution to Alaskan consumers, payment of \$45,000 to the state for consumer protection/antitrust education and enforcement, and payment of \$45,000 for the state's costs and attorney fees.

Obtained consent decrees in two multi-state antitrust cases involving Toys R Us and Nine West that provide for injunctive relief and over \$100,000 in cy pres funds to be distributed to nonprofit or government agencies who will provide goods or services to the injured class of victims in these cases.

Completed collection of approximately \$300,000 of restitution to Alaskan consumers in settlement of antitrust violations in the Southeast Alaska Propane case; the state also received \$5,470 for consumer protection and antitrust enforcement.

Statutory and Regulatory Authority

AS 44.23.020

Fair Business Practices

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,024.0	1,113.5	1,232.1
72000 Travel	18.8	8.1	12.0
73000 Contractual	274.7	197.8	251.7
74000 Supplies	17.2	33.3	51.3
75000 Equipment	12.9	8.6	8.6
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,347.6	1,361.3	1,555.7
Funding Sources:			
1004 General Fund Receipts	431.1	433.5	433.8
1005 General Fund/Program Receipts	6.6	50.0	50.0
1007 Inter-Agency Receipts	788.3	690.3	889.1
1053 Investment Loss Trust Fund	0.0	3.2	0.0
1108 Statutory Designated Program Receipts	121.6	184.3	182.8
Funding Totals	1,347.6	1,361.3	1,555.7

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	993.5	0.0	0.0	0.0	0.0
Unrestricted Total		993.5	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	788.3	690.3	812.2	889.1	859.1
General Fund Program Receipts	51060	6.6	50.0	50.0	50.0	50.0
Statutory Designated Program Receipts	51063	121.6	184.3	180.0	182.8	181.9
Investment Loss Trust Fund	51393	0.0	3.2	0.0	0.0	0.0
Restricted Total		916.5	927.8	1,042.2	1,121.9	1,091.0
Total Estimated Revenues		1,910.0	927.8	1,042.2	1,121.9	1,091.0

Fair Business Practices

Proposed Changes in Levels of Service for FY2002

In the current fiscal year, another full-time attorney was added to the budget for the Consumer Protection Unit to increase consumer protection enforcement capabilities and to handle tobacco enforcement cases involving the sale of tobacco products to minors. In addition, a newly hired full-time paraprofessional began providing assistance in investigating and preparing consumer protection and antitrust cases. These staffing changes have allowed the department to further increase its investigation and enforcement activities relative to consumer protection and antitrust issues. The department has also increased its participation in multi-state investigation and enforcement activities involving national companies that have committed unfair or deceptive practices impacting Alaskan consumers. In this fiscal year, the department implemented its consumer protection web page that is assisting consumers in identifying and protecting against fraud. The department also has maintained the cooperative agreement with the Better Business Bureau of Alaska, Inc. (BBB) to handle consumer complaints that may benefit from the mediation and arbitration services provided by the BBB. In addition to increased actions against businesses engaged in unfair and deceptive trade practices, the department has continued to increase its antitrust enforcement efforts over the past year in the aftermath of recent large corporate merger and acquisition activities within the state and in anticipation of future merger and acquisition activities.

The Department of Community and Economic Development's Division of Occupational Licensing received additional funding beginning in FY2001 in part to provide for \$200,000 in additional legal services from the Department of Law. The Division of Occupational Licensing is seeking an additional \$30,000 to maintain the level of service provided in the wake of increases to Law's timekeeping and billing rate. Consequently, the Governor's FY2002 budget includes an increment for \$230,000 in interagency receipts for Law's Fair Business Practices section. A full-time Attorney IV and a part-time paralegal position are requested in conjunction with the funding.

Summary of Component Budget Changes

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	486.7	0.0	874.6	1,361.3
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	0.0	0.0	-27.1	-27.1
-Year 2 Labor Costs - Net Change from FY 2001	-2.9	0.0	-5.6	-8.5
Proposed budget increases:				
-Occupational Licensing Positions and Funding	0.0	0.0	230.0	230.0
FY2002 Governor	483.8	0.0	1,071.9	1,555.7

Fair Business Practices
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	14	15	Annual Salaries	971,439
Part-time	4	4	COLA	20,308
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	282,361
			<i>Less 3.30% Vacancy Factor</i>	(42,008)
			Lump Sum Premium Pay	0
Totals	18	19	Total Personal Services	1,232,100

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Assoc Attorney II	2	0	0	0	2
Attorney III	1	0	0	0	1
Attorney IV	8	0	0	0	8
Attorney V	1	0	0	0	1
Legal Secretary I	3	0	0	0	3
Legal Secretary II	1	0	0	0	1
Paralegal Asst I	1	0	0	0	1
Paralegal Asst II	1	0	0	0	1
Totals	19	0	0	0	19

Component: Governmental Affairs Section

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Component Mission

Mission statement is included at the department summary level.

Component Services Provided

The Governmental Affairs section provides legal assistance needed for governmental management, including budget, public finance, employment, labor relations, civil rights, procurement, retirement programs, Medicaid rate disputes, and investment of treasury and Permanent Fund Corporation funds. The section provides legal assistance for problems associated with institutional relationships within state government, including the separation of powers between the three branches of government and interaction between the state and local governments. It also provides legal assistance on issues associated with the conduct of elections. Legal services are provided to the Departments of Administration, Labor and Workforce Development, and Community and Economic Development, Office of the Governor, Office of the Lieutenant Governor, Office of Management and Budget, the Permanent Fund Corporation, AIDEA, Alaska Public Offices Commission, Human Rights Commission, Division of Elections, and the Alaska Court System.

Component Goals and Strategies

Provide legal services to the Departments of Administration, Labor and Workforce Development, and Community and Economic Development, Office of the Governor, Office of the Lieutenant Governor, Office of Management and Budget, Permanent Fund Corporation, AIDEA, Alaska Public Offices Commission, Human Rights Commission, Division of Elections, and the Alaska Court System.

Provide a central core of attorneys experienced in government organization law to advise other Department of Law staff and agencies not served directly as client agencies.

Provide representation and legal advice to client agencies, department staff, and others as assigned by the attorney general, including making or defending claims for violation of fiduciary obligations owed to the state, rural education attendance areas, or a municipality.

Advise and represent the management interests of state agencies as they deal with collective bargaining and other employment issues or disputes, including advice relating to negotiations, grievances, arbitrations, unfair labor practices, and resulting court proceedings.

Advise the state personnel board as it carries out its quasi-judicial function.

Defend the state in procurement bid protests and appeals not involving construction.

Advise the Division of Elections concerning the conduct of state and local elections supervised by that division.

Advise the Local Boundary Commission regarding incorporation, annexation, detachment, and other related boundary changes, including court proceedings instituted to review actions of the commission.

Serve as chief counsel to AIDEA, the Alaska Energy Authority, and the Alaska Permanent Fund Corporation, including the supervision of specialized contract counsel for these public corporations.

Provide advice to the Division of Retirement and Benefits as it performs the function of sponsor of state retirement systems.

Key Component Issues for FY2001 – 2002

The Governmental Affairs section is representing the state in two major cases with potential significant budget impacts. The first case involves a claim that the Bank of America failed to properly manage and account for debt service paid on state and municipal bonds dating back to statehood and then, after the bonds matured, kept any unclaimed remainder rather than escheat them to the state as required by law. The second case involves a sweeping claim by tribal organizations and individuals seeking to disrupt the flow of federal funds on the ground that the state has discriminated against 165 isolated Native villages in the way in which it provides police protection through the Alaska State Troopers and village public safety officer program.

Major Component Accomplishments for FY2000

The Governmental Affairs section provided legal assistance to the Division of Elections during the course of a special election called by the legislature. The result of the election was not successfully contested.

The section also represented the Division of Retirement and Benefits before the PERS and TRS boards on an ever-increasing number of benefit appeals.

Attorneys of the section represented the state in trials involving cases brought alleging employment-related claims and obtained just results.

The state's primary system was changed to comply with United States Supreme Court precedent and this change was successfully defended in state and federal court.

The state's campaign finance act was successfully defended when the United States Supreme Court denied a petition for writ of certiorari.

The section is defending legal challenges to a voter-approved ballot measure to make English the state's official language.

The section provided legal advice to the Department of Corrections relating to the financing of new correctional facilities.

Statutory and Regulatory Authority

AS 44.23.020

Governmental Affairs Section

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,757.9	1,746.9	1,808.5
72000 Travel	35.6	20.2	20.5
73000 Contractual	1,025.8	1,377.4	833.0
74000 Supplies	28.2	31.6	33.6
75000 Equipment	21.6	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,869.1	3,176.1	2,695.6
Funding Sources:			
1004 General Fund Receipts	1,081.4	1,178.5	1,039.5
1007 Inter-Agency Receipts	1,787.7	1,341.0	1,331.1
1053 Investment Loss Trust Fund	0.0	4.8	0.0
1108 Statutory Designated Program Receipts	0.0	651.8	325.0
Funding Totals	2,869.1	3,176.1	2,695.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	1,787.7	1,341.0	1,825.3	1,331.1	1,339.6
Statutory Designated Program Receipts	51063	0.0	651.8	200.0	325.0	0.0
Investment Loss Trust Fund	51393	0.0	4.8	0.0	0.0	0.0
Restricted Total		1,787.7	1,997.6	2,025.3	1,656.1	1,339.6
Total Estimated Revenues		1,787.7	1,997.6	2,025.3	1,656.1	1,339.6

Governmental Affairs Section**Proposed Changes in Levels of Service for FY2002**

Attorneys working in the Governmental Affairs section are some of the department's most senior and experienced staff. This section handles a wide variety of complex cases including cases dealing with intergovernmental relations, public finance, procurement, elections, and labor relations and employment law. To enable staff attorneys to better manage the more difficult aspects of these cases, paralegal assistance is required. Paralegal assistance will increase efficiency in processing these cases, which often require that numerous witnesses and thousands of documents be organized for the discovery phase of litigation, and ultimately, for trial. These cases also require specialized research on matters such as legislative history, or caselaw from other jurisdictions that can be delegated to a paralegal assistant.

The Governmental Affairs budget includes a request for an increment of \$90,000. This funding would provide for an additional Associate Attorney II position.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	1,183.3	0.0	1,992.8	3,176.1
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.8	0.0	-1.8	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-5.4	0.0	-9.9	-15.3
-Reduce Funding - Bank of America Investigation Carryforward	-230.2	0.0	-325.0	-555.2
Proposed budget increases:				
-Associate Attorney Position and Funding	90.0	0.0	0.0	90.0
FY2002 Governor	1,039.5	0.0	1,656.1	2,695.6

Governmental Affairs Section**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	20	21	Annual Salaries	1,448,719
Part-time	1	1	COLA	30,776
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	399,344
			<i>Less 3.74% Vacancy Factor</i>	(70,339)
			Lump Sum Premium Pay	0
Totals	21	22	Total Personal Services	1,808,500

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney IV	6	0	3	0	9
Attorney V	3	0	3	0	6
Attorney VI	1	0	0	0	1
Legal Secretary I	2	0	1	0	3
Legal Secretary II	1	0	1	0	2
Paralegal Asst II	0	0	1	0	1
Totals	13	0	9	0	22

Component: Human Services Section

Contact: D. Rebecca Snow, Chief Assistant Attorney General
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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Provide legal assistance on issues arising from the state's education, health services, social services and welfare programs. Advise these agencies regarding changes in federal law and steps necessary at the state level to remain in compliance with federal funding requirements.

Initiate action to remove children from abusive or neglectful homes, act to terminate parental rights for permanent placement of children in state custody or adoptive homes, and prosecute juvenile delinquency cases.

Component Goals and Strategies

Provide legal advice and representation to the Departments of Education and Early Development, Labor and Workforce Development, and Health and Social Services.

Protect the public by providing legal services and advice to these agencies regarding labor, education, child protection, juvenile delinquency, licensing and health issues.

Protect the state's financial resources by advising agencies on decisions that might lead to financial claims, defending against unreasonable claims, and facilitating reasonable settlements or other appropriate resolution to issues.

Initiate actions to remove children from abusive or neglectful homes and to terminate parental rights when determined to be in the best interests of a child.

Prosecute juvenile delinquency cases.

Provide representation in cases involving denial or removal of childcare or adult foster care licenses.

Prosecute mental commitments.

Advise on and represent the state in matters related to providing quality educational services throughout the state.

Key Component Issues for FY2001 – 2002

Child protection workloads continue to be of concern to the department. The rate of increase in the number of new cases appears to be slowing; however, existing caseloads remain high particularly in Anchorage and Bethel. In addition, statutory changes at the state and federal level have necessitated important changes in how long children can remain in the child protection legal system, and when certain actions must occur, and they define parental responsibility more concretely. These changes move cases to conclusion faster to ensure that when reunification with the family is not in the child's best interest, the child can be made legally eligible for placement in a permanent home more quickly. The new accelerated schedules severely impact attorney workloads. Maintenance of our existing resources is necessary in order to manage this critical responsibility.

A second area of concern is juvenile delinquency workload in the Anchorage Human Services section. While the number of cases has remained relatively constant over the past three years, workload has increased 53 percent

since FY 1998. Cases are more complex, often involve multiple defendants and multiple defense attorneys, and are more often going to jury trial. Most of this increase has fallen on the one position in the Anchorage section devoted to juvenile delinquency. The Anchorage juvenile delinquency caseload has been of concern for some time. In FY1999, the department requested, but did not receive, funding for an additional juvenile delinquency position. The situation has only worsened, and it is unrealistic to expect one person to be willing and able to continue to carry this heavy workload.

Major Component Accomplishments for FY2000

Participated in interagency effort (Balloon Project) to reduce backlog of children in foster care longer than new state and federal laws permit. As of October 15, 2000, 81 percent of these children were in a permanent placement, and in another 13 percent of the cases, the legal work to free these children for adoption is complete. (See performance measure at the department level.)

Revised DFYS forms to comply with the new laws.

Provided monthly training sessions at the social worker academy on child protection legal issues.

Successfully negotiated an interim agreement with the Native Village of Barrow that maintains state concurrent jurisdiction while the Native Village of Barrow is developing its capacity to reassume exclusive jurisdiction over child protection cases involving their member children who are domiciled within their village boundaries.

Prosecuted scores of juvenile delinquents, obtaining numerous felony and misdemeanor adjudications. Worked closely with victims, law enforcement, defense attorneys, and juvenile probation officers to ensure accountability of juvenile offenders.

Statutory and Regulatory Authority

AS 44.23.020

Human Services Section

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	3,430.2	2,950.5	3,330.7
72000 Travel	47.5	50.0	61.2
73000 Contractual	430.0	393.7	444.0
74000 Supplies	57.0	51.1	61.1
75000 Equipment	37.3	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	4,002.0	3,445.3	3,897.0
Funding Sources:			
1004 General Fund Receipts	2,559.6	2,729.8	2,873.5
1007 Inter-Agency Receipts	1,245.4	632.3	959.7
1037 General Fund / Mental Health	63.0	64.0	63.8
1053 Investment Loss Trust Fund	0.0	13.9	0.0
1108 Statutory Designated Program Receipts	0.0	5.3	0.0
1119 Tobacco Settlement	134.0	0.0	0.0
Funding Totals	4,002.0	3,445.3	3,897.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
Tobacco Settlement	65045	134.0	0.0	0.0	0.0	0.0
General Fund Mental Health	68520	63.0	0.0	0.0	0.0	0.0
Unrestricted Total		197.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Interagency Receipts	51015	1,245.4	632.3	633.5	959.7	959.7
Statutory Designated Program Receipts	51063	0.0	5.3	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	13.9	0.0	0.0	0.0
Restricted Total		1,245.4	651.5	633.5	959.7	959.7
Total Estimated Revenues		1,442.4	651.5	633.5	959.7	959.7

Human Services Section**Proposed Changes in Levels of Service for FY2002****Focus on Permanency**

The department is requesting authority to receive and expend \$297,800 in interagency receipts from the Department of Health and Social services to make permanent two temporary attorney positions now funded through the Balloon Project. While more work remains to be done on this important project during FY 2001, the oldest cases are almost all resolved, and a picture of what on-going caseloads will be like absent other significant changes in law or policy is beginning to appear.

The rate of increase in new child-in-need-of-aid (CINA) cases has slowed significantly since the upsurge in 1998. Anchorage Human Services saw a 65 percent increase in new CINA cases between 1997 and 1998. In 1999, the number of new cases increased another 13.9 percent, and in 2000, 2.6 percent. During the first three months of FY 2001, the number of new CINA cases coming into the Anchorage office is already 5 percent more than in FY 2000. While the rate of increase is less, more new cases are still coming in each year. The Balloon Project has been very successful in clearing the backlog of cases involving children in out-of-home care for far too long, and overall, per attorney caseloads are down compared to prior years. However, caseloads are still high, particularly in Anchorage and Bethel, where per attorney caseloads are in excess of 60 cases. National standards suggest a responsible caseload is no more than 40 to 50 active cases.

With the number of new cases continuing to increase, the loss of two positions that focus on permanency for the most difficult children's cases would be costly. These positions allow the remaining attorneys in the section to handle the day-to-day crises associated with new children just entering the system, who have not moved to the point that termination of parental rights is mandated, and to meet the statutory deadlines child protection law requires. An analysis of cases opened in October and November 1998 indicates that the deadlines are being met in over 90 percent of the cases. If two attorney positions are lost, it is likely that this success rate will not continue, to the detriment of the children the deadlines were written to help.

Juvenile Delinquency

The second change proposed in FY 2002 is the addition of one new juvenile delinquency attorney position in Anchorage. General funds in the amount of \$137,000 are requested to fund this new position. The juvenile delinquency workload in our Anchorage office has increased by 53 percent since FY1998, but the resources to handle the work have not changed. In 1998, the court system calculated approximately 17 percent of all the juvenile delinquency cases opened in Anchorage were referred for prosecution by assistant attorneys general. In FY2000, the referral rate was 32 percent. Cases are also taking more attorney and paraprofessional time. More cases are being contested. During calendar year 2000, the Anchorage AGO has already had five juvenile delinquency jury trials, and ten more are currently calendared through November. While we do not have an exact count for 1999, this is substantially more trials than occurred last year. The Anchorage attorney is seeing more cases that involve multiple counts with multiple defendants, which are more complicated, and involve multiple defense attorneys. Yet the state relies on one prosecutor. The Anchorage attorney is also getting more sexual assault cases, which are high stakes cases and heavily contested, require expert testimony, and much more preparation.

During FY1998, 153 new juvenile delinquency cases were opened in the Anchorage office. In FY1999, 225 new cases were opened, and in FY2000, 233. Meanwhile, only one attorney position in Anchorage Human Services is dedicated to juvenile delinquency work for Anchorage, the Kenai Peninsula, and Dillingham. While other attorneys in the section assist, their child protection caseloads do not permit much time be devoted to juvenile delinquency cases. In FY2000, other attorneys worked less than 6 percent of the 2,059 attorney hours billed for JD work in Anchorage. It is unreasonable to expect one person to be willing and able to continue to carry this level of workload year after year.

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	2,807.7	0.0	637.6	3,445.3
Adjustments which will continue current level of service:				
-Adjust vacancy by fund source between line items and components	0.0	0.0	27.1	27.1
-Convert Special FY2001 Labor Cost Fund Sources to GF	5.3	0.0	-5.3	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-12.7	0.0	2.5	-10.2
Proposed budget increases:				
-Funding for Child Protection: Focus on Permanency	0.0	0.0	297.8	297.8
-Juvenile Delinquency Attorney Position and Funding	137.0	0.0	0.0	137.0
FY2002 Governor	2,937.3	0.0	959.7	3,897.0

Human Services Section**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	47	51	Annual Salaries	2,785,286
Part-time	2	2	COLA	56,586
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	848,961
			<i>Less 9.76% Vacancy Factor</i>	(360,133)
			Lump Sum Premium Pay	0
Totals	49	53	Total Personal Services	3,330,700

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk I	1	0	0	0	1
Attorney III	9	1	3	1	14
Attorney IV	3	4	4	1	12
Attorney V	2	0	2	0	4
Attorney VI	0	1	0	0	1
Legal Secretary I	7	1	3	2	13
Legal Secretary II	1	1	1	0	3
Paralegal Asst I	2	0	1	0	3
Paralegal Asst II	2	0	0	0	2
Totals	27	8	14	4	53

Component: Legislation/Regulations

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

The Legislation and Regulations section drafts and edits legislation on behalf of the governor for introduction in the legislature, tracks and reviews all legislation for legal issues before the governor acts on it, and reviews virtually all regulations adopted by the executive branch for compliance with legal requirements. The section provides training on regulations matters to all state agencies and to assistant attorneys general. The section prepares the Drafting Manual for Administrative Regulations. The section frequently provides advice to state agencies regarding legal requirements on regulations, public records, and the Open Meetings Act. The section supervisor serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates prepared legislation on issues of concern across state lines.

Component Goals and Strategies

Provide legal advice and review for constitutional and statutory requirements in the preparation of state legislation and regulations.

Coordinate and prepare legislation for introduction at the governor's request.

Coordinate and prepare legal recommendations to the governor on legislation pending governor's action.

Perform the statutorily required legal review of executive branch regulations in a timely manner and approve regulations for filing by the Office of the Lieutenant Governor.

Advise and provide training to all executive branch agencies on the legal requirements for state legislation and regulations.

Serve as a uniform law commissioner for the State of Alaska to ensure that Alaska interstate commerce law, investment law, and other matters of concern across state lines are current to facilitate a better business climate and easier resolution of interstate legal matters.

Key Component Issues for FY2001 – 2002

No key issues.

Major Component Accomplishments for FY2000

Conducted legal review of over 2400 pages of regulations during FY 2000.

Met budget performance measure of reviewing 50 percent of all adopted regulations within 120 days of a request for final review and 75 percent completed within 180 days of a request.

Prepared 2000 edition of the Drafting Manual for Administrative Regulations.

Conducted training classes in

(A) Anchorage, Fairbanks, and Juneau by videoconferencing to over 80 employees on ways to improve public satisfaction with the regulations process;

(B) Anchorage, Fairbanks, and Juneau regarding the new 2000 version of the Drafting Manual for Administrative Regulations;

(C) Anchorage and Juneau by telephone conference, conducted secretarial training classes in typing and format standards for both regulations and legislation projects.

Statutory and Regulatory Authority

AS 44.23.020

Legislation/Regulations

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	411.3	387.9	379.9
72000 Travel	4.2	11.0	11.0
73000 Contractual	59.8	93.4	99.2
74000 Supplies	6.4	12.3	12.3
75000 Equipment	3.8	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	485.5	504.6	502.4
Funding Sources:			
1004 General Fund Receipts	392.9	373.8	375.2
1007 Inter-Agency Receipts	92.6	128.2	127.2
1053 Investment Loss Trust Fund	0.0	1.9	0.0
1108 Statutory Designated Program Receipts	0.0	0.7	0.0
Funding Totals	485.5	504.6	502.4

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	16.2	0.0	0.0	0.0	0.0
Unrestricted Total		16.2	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	92.6	128.2	125.9	127.2	127.2
Statutory Designated Program Receipts	51063	0.0	0.7	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	1.9	0.0	0.0	0.0
Restricted Total		92.6	130.8	125.9	127.2	127.2
Total Estimated Revenues		108.8	130.8	125.9	127.2	127.2

Legislation/Regulations**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	375.7	0.0	128.9	504.6
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	0.7	0.0	-0.7	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-1.2	0.0	-1.0	-2.2
FY2002 Governor	375.2	0.0	127.2	502.4

Legislation/Regulations**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	5	5	Annual Salaries	297,447
Part-time	0	0	COLA	6,526
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	86,550
			<i>Less 2.72% Vacancy Factor</i>	(10,623)
			Lump Sum Premium Pay	0
Totals	5	5	Total Personal Services	379,900

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney III	0	0	1	0	1
Attorney V	0	0	1	0	1
Legal Secretary I	0	0	1	0	1
Totals	0	0	5	0	5

Component: Natural Resources

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Provide legal advice and representation to state departments, boards and commissions that regulate Alaska's lands, waters, and renewable natural resources. Represent those agencies in litigation, and draft and review regulations governing them. Draft bills requested by the Governor's Office, and comment on legislation dealing with natural resources. Advise the Governor's Office on natural resource matters.

Component Goals and Strategies

Ensure that Alaska's lands, waters, and renewable natural resources are managed and allocated by state agencies in a manner that is consistent with the law.

Defend against legal challenges to actions taken by Alaska natural resources agencies.

Pursue legal actions against persons who are illegally using, damaging, or destroying Alaska's lands, waters, or renewable natural resources.

Provide legal advice and assistance to the Governor's Office and state agencies on matters of federal Indian law and assist in the development of state-tribal relations.

Provide legal advice to the Alaska Board of Fisheries and to the Alaska Board of Game and defend their conservation and allocation decisions against legal challenges.

Provide legal advice to the Alaska Commercial Fisheries Entry Commission and defend the commission's decisions concerning the issuance of limited entry permits for participating in certain state fisheries.

Provide legal advice to the Alaska Department of Fish and Game to ensure that its management of commercial, sport, personal use, and subsistence fisheries and its management of sport and subsistence hunts comply with the law. Advise the department in its efforts to enhance fishery and game populations, interact with private fish hatcheries, and operate state fish hatcheries. Pursue legal action to prevent, mitigate, or eliminate harmful impacts on fish habitat.

Provide legal advice to the Division of Governmental Coordination and to the Coastal Policy Council to ensure that coastal zone coordination is conducted in a lawful manner. Defend against legal challenges to state actions implementing the Alaska Coastal Management Program.

Assist the Alaska Department of Natural Resources to negotiate and draft state timberland leases. Help the department resolve legal issues concerning ownership and management of uplands, tidelands, and submerged lands.

Advise state agencies on riparian rights and represent the state in legal actions concerning transfer, leasing, and other uses of state lands. Assist the agencies on matters regarding public access to Alaska and federal lands.

Advise and assist the Alaska Department of Natural Resources to manage mining claims on state lands and restrict or eliminate surface uses that conflict with those claims.

Pursue legal actions that will prevent or eliminate trespass on, destruction of, or damage to state lands, waters, timber, and other natural resources.

Help wildlife protection officers, other law enforcement officers, and Assistant District Attorneys investigate and prosecute crimes against the state's natural resources including, when appropriate, acting as prosecutors in criminal cases. Pursue legal actions for the forfeiture of vessels and other property used in violating state natural resource laws.

Advise state agencies on issues relating to mental health trust lands and Native allotments and represent the state in legal actions involving those lands.

Advise natural resource agencies on legal issues arising under state laws that govern procurement, ethics, open meetings, and public records.

Key Component Issues for FY2001 – 2002

Natural Resources' FY 2001 budget sustained a reduction of \$134,000. As a result we are holding an attorney position in this section vacant. Loss of this position further curtails the ability to provide advice and representation to the Department of Fish and Game and the Department of Natural Resources. The ability to advise the agencies on issues ranging from commercial and sport fishing, hunting, and aquatic farming to municipal entitlements, state land disposals and state park management, among others, is diminished as a result.

Major Component Accomplishments for FY2000

Briefed two administrative appeals before the superior court concerning DGC consistency determinations.

Completed drafting major revisions to regulations governing the coastal program consistency review process.

Began advising on revisions to coastal program regulatory standards.

Assisted ADEC defend a decision regarding log transfer facilities.

Statutory and Regulatory Authority

AS 44.23.020

Natural Resources

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	937.5	1,171.0	1,157.0
72000 Travel	12.3	23.7	23.7
73000 Contractual	141.1	49.2	57.1
74000 Supplies	14.5	30.2	30.2
75000 Equipment	2.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,107.4	1,274.1	1,268.0
Funding Sources:			
1004 General Fund Receipts	888.5	958.2	960.4
1007 Inter-Agency Receipts	218.9	309.2	307.6
1053 Investment Loss Trust Fund	0.0	4.9	0.0
1108 Statutory Designated Program Receipts	0.0	1.8	0.0
Funding Totals	1,107.4	1,274.1	1,268.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	216.9	309.2	323.8	307.6	307.6
Statutory Designated Program Receipts	51063	0.0	1.8	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	4.9	0.0	0.0	0.0
Restricted Total		216.9	315.9	323.8	307.6	307.6
Total Estimated Revenues		216.9	315.9	323.8	307.6	307.6

Natural Resources**Proposed Changes in Levels of Service for FY2002**

No service changes.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	963.1	0.0	311.0	1,274.1
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.8	0.0	-1.8	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-4.5	0.0	-1.6	-6.1
FY2002 Governor	960.4	0.0	307.6	1,268.0

Natural Resources**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	15	16	Annual Salaries	915,004
Part-time	1	1	COLA	18,689
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	271,567
			<i>Less 4.00% Vacancy Factor</i>	(48,210)
			Lump Sum Premium Pay	0
Totals	16	17	Total Personal Services	1,157,050

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney III	2	0	1	0	3
Attorney IV	3	0	1	0	4
Attorney V	1	1	1	0	3
Legal Secretary I	2	1	2	0	5
Legal Secretary II	1	0	1	0	2
Totals	9	2	6	0	17

Component: Oil, Gas and Mining

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

The Oil, Gas, and Mining section is responsible for in-house Department of Law services in oil, gas, and mining-related disputes:

- advice to the governor on legal issues and litigation over antitrust matters involving oil and gas companies;
- legal representation to state agencies for the investigation, defense, and prosecution of claims concerning the state's oil and gas royalty and taxation programs, including paralegal services, data collection and processing to support the litigation effort;
- monitoring and protesting tariffs charged for transportation of oil and gas production through pipelines; and
- legal advice to state agencies concerning the development of state oil, gas, and mineral resources

Department attorneys must frequently rely on economists, engineers, and other experts to assist in the development of these highly technical oil and gas cases. Moreover, due to the complexity, length, and magnitude of major tax, royalty, tariff, and antitrust cases, outside counsel is sometimes used to help litigate these disputes. Contracts for these outside services are funded directly from the Oil and Gas Litigation and Legal Services BRU, and managed by department staff funded within the Oil, Gas, and Mining component.

The Oil, Gas, and Mining component is funded by intra-agency receipts from the Oil and Gas Litigation and Legal Services BRU, and is shown as a separate component to clearly identify Department of Law's contribution to the state's oil and gas litigation activities.

As discussed in more detail in the Oil and Gas Litigation and Legal Services BRU Issues section, the state has been improving its in-house auditing and litigation capabilities. This has resulted in a shift of more and more cases being handled primarily, if not completely, in-house rather than by more expensive outside counsel.

ANTITRUST CASES

Department attorneys investigate possible antitrust violations resulting from recent mergers by oil and gas companies and either will litigate or, if an agreement is reached, will monitor and enforce compliance by the company. In addition, the state has filed demands for information from a number of gasoline refiners and marketers as part of an antitrust investigation and may pursue action if warranted.

TAX-RELATED SERVICES

The state has resolved many of the outstanding tax cases from earlier years. Taxes are annual obligations, however, and more recent audit cycles have been completed. Tens of millions of dollars in taxes and interest are still owed by the oil and gas producers to the state.

Most of the cases with smaller assessments are handled in-house by section attorneys. Where the assessments are very large, however, or when the issues are particularly complex, the state hires experts and may employ outside counsel to ensure maximum preparation and ultimate recovery for the state.

Until recently, oil and gas property tax cases rarely proceeded beyond the administrative stage. That changed in FY1997. The department anticipates that more and more property cases will be vigorously contested as the major North Slope production facilities and the pipeline continue to age and decrease in value, leaving municipalities along the pipeline corridor with a dwindling property tax base. These cases, like other oil and gas tax cases, are extremely costly to litigate and require the advice and testimony of expert witnesses and considerable attorney time.

Department staff also assist the Department of Revenue on a number of other tax-related issues, such as regulations projects and day-to-day agency advice.

ROYALTY

The department represents the Department of Natural Resources on a number of royalty disputes between the oil and gas producers and the state. Since the settlement of the massive Alaska North Slope (ANS) royalty case, most royalty matters have been handled primarily in-house. Some parties to the ANS settlements have asserted their rights to reopen the settlements. In those cases, the department relies heavily on contract counsels' past experience with the ANS royalty litigation to renegotiate the settlements.

PIPELINE TARIFFS

Department attorneys are responsible for monitoring compliance with the 1985 Trans-Alaska Pipeline System (TAPS) settlement and, if necessary, challenging TAPS tariff filings. These cases can be worth millions of dollars to the state annually. A shipper's challenge to the intrastate TAPS tariffs is in the discovery stage, and proceeding toward a hearing before the Regulatory Commission of Alaska. This case challenges the TAPS settlement methodologies, and requires the assistance of outside counsel and experts. The section also provides general legal advice and assistance to the Department of Natural Resources' State Pipeline Coordinator's Office (SPCO) on pipeline-related matters, including renegotiation of the TAPS right-of-way agreement.

RESOURCE DEVELOPMENT

As part of resource development, the Department of Natural Resources administers the oil and gas leasing program. Although the revenue generated by the bonus bids is not large, the program lays the foundation for exploration and development of the state's hydrocarbon resources. Only with a successful leasing program can the revenue base from tax and royalties be sustained. The lease sale program has been challenged in the past and considerable Department of Law attorney time and effort has been and will continue to be expended to defend the program.

Department staff also handle problems with North Slope leases where the state's record as a lessor is at issue. Future resource development activities, including the development of ANWR, depend in large part on the state's record as a land manager. Department attorneys assist in improving this record.

Oil, Gas, and Mining funds legal and expert assistance to the departments of Revenue and Natural Resources in their efforts to encourage development of Alaska North Slope natural gas. Department of Law attorneys provide legal advice on a wide-range of gas-related topics, from right-of-way lease requirements to the constitutionality of proposed changes to the state's fiscal regime. Considerable time will continue to be devoted to this project in FY2002 due to its complexity and importance to the state.

MINING

The section also undertakes representation of the Department of Natural Resources, Division of Mining, in all legal matters. However, the mining work is not funded by the intra-agency receipts from the Oil and Gas Litigation and Legal Services BRU; it is funded with general funds as part of our natural resources efforts. The matters include ongoing litigation regarding mineral royalties, mining rights, and rights regarding surface occupancy of mining claims. Department attorneys also assist the division in complying with federal statutes regulating surface mining, including legal review for the use of reclamation funds, and drafting agreement with operators to insure compliance with state and federal reclamation requirements. The department also advises and assists the Division of Mining in drafting bonding agreements, permits, leases, best interest findings, proposed legislation, and regulations.

ETHICS

Administration of the Executive Branch Ethics Act is also provided by the section. As with mining legal matters, ethics-related work is not funded by the Oil and Gas Litigation and Legal Services BRU. When possible, such services are billed to the client agency involved, or funded with the Department of Law's general funds. The ethics attorney in the section provides advice and training to executive branch agencies and boards and commissions on the Act; advises former employees on their responsibilities under the act; investigates ethics complaints; works with designated supervisors to resolve complaints; if necessary, prosecutes ethics violations before the Personnel Board; and handles any appeals of board decisions.

Component Goals and Strategies

To maximize the state's revenues by enforcing antitrust laws against oil and gas companies.

To maximize the state's revenues by enforcing the state's oil and gas royalty and taxation statutes and regulations.

To maximize the state's revenues through monitoring expenses that reduce oil and gas valuation.

To protect valuable state lands and resources against title and lease challenges.

To advise and educate executive branch agencies and employees on the Executive Branch Ethics Act.

To investigate alleged violations of the Executive Branch Ethics Act and initiate enforcement action in appropriate cases.

Key Component Issues for FY2001 – 2002

See component services provided.

Major Component Accomplishments for FY2000

- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.
- Defended state's tariff settlement agreements during the period of the agreements to ensure that the state receives the benefits of those agreements.
- Pursued legal remedies that will determine the cost of processing the state's royalty share of natural gas liquids.
- Pursued oil and gas tax assessments made by state tax auditors in both the oil and gas audit and income and excise tax divisions.
- Pursued the state's interests in net profit share oil leases.
- Promoted further oil and gas development by assisting resource agencies in drafting regulations, defending lease sales, and accomplishing other tasks in aid of development.
- Investigated and resolved numerous ethics complaints.
- Successfully defended before the Alaska Supreme Court the Personnel Board's findings of ethics violations.

Statutory and Regulatory Authority

AS 44.23.020

Oil, Gas and Mining

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	2,196.8	2,308.6	2,291.8
72000 Travel	52.4	90.5	90.5
73000 Contractual	319.3	431.0	431.4
74000 Supplies	64.5	54.2	54.2
75000 Equipment	27.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,660.0	2,884.3	2,867.9
Funding Sources:			
1007 Inter-Agency Receipts	2,660.0	2,884.3	2,867.9
Funding Totals	2,660.0	2,884.3	2,867.9

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Interagency Receipts	51015	2,660.0	2,884.3	2,833.7	2,867.9	2,867.9
Restricted Total		2,660.0	2,884.3	2,833.7	2,867.9	2,867.9
Total Estimated Revenues		2,660.0	2,884.3	2,833.7	2,867.9	2,867.9

Oil, Gas and Mining**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	0.0	0.0	2,884.3	2,884.3
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY 2001	0.0	0.0	-16.4	-16.4
FY2002 Governor	0.0	0.0	2,867.9	2,867.9

Oil, Gas and Mining

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	32	32	Annual Salaries	1,827,464
Part-time	0	0	COLA	35,966
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	542,426
			<i>Less 4.74% Vacancy Factor</i>	(114,056)
			Lump Sum Premium Pay	0
Totals	32	32	Total Personal Services	2,291,800

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Clerk II	0	0	1	0	1
Analyst/Programmer IV	1	0	0	0	1
Assoc Attorney II	2	0	0	0	2
Attorney III	0	0	1	0	1
Attorney IV	7	0	1	0	8
Attorney V	2	0	2	0	4
Data Processing Mgr I	0	0	1	0	1
Data Processing Tech I	1	0	0	0	1
Legal Secretary I	2	0	1	0	3
Legal Secretary II	1	0	1	0	2
Paralegal Asst I	1	0	0	0	1
Paralegal Asst II	2	0	2	0	4
Procurement Spec II	0	0	1	0	1
Secretary	0	0	1	0	1
Spec Asst To The Comm II	0	0	1	0	1
Totals	19	0	13	0	32

Component: Special Litigation

Contact: Susan Cox, Chief Assistant Attorney General

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Defend litigation involving tort claims against the state and state employees, maritime personal injury claims, and civil rights claims under 42 U.S.C. § 1983, such as wrongful death suits against DOT&PF for vehicle accidents on state roads, claims of injury occurring at state facilities, medical malpractice claims brought by inmates, maritime personal injury claims against the Alaska Marine Highway System raised by ferry employees and passengers, claims of negligence in handling of children's abuse or neglect cases, cases against the state for actions of third parties in state custody (e.g., probationers, foster children), and other claims of injury caused directly by state officials (e.g., troopers, drivers of state vehicles, etc.).

Defend controverted workers' compensation claims in which the state is the employer.

Provide legal services to the Division of Risk Management and, through it, to all state agencies.

Defend the court system and judges in personal injury lawsuits.

Defend workers' compensation cases before the Alaska Workers' Compensation Board and at the appellate level.

Provide oral advice to state adjusters and state agencies on workers' compensation issues.

Provide oral advice to state agencies on risk management/liability issues.

Provide instructors on liability issues, e.g., trooper and correctional academies.

Supervise work of and manage contracts in tort and workers' compensation matters with outside counsel retained by the Division of Risk Management or the Department of Law.

Component Goals and Strategies

Provide legal defense in tort litigation cases filed against the state, state agencies, and state employees, including personal injury, property damage, and civil rights suits brought under 42 U.S.C. § 1983.

Provide legal defense in contested workers' compensation claims filed by state employees.

Litigate cases to favorable resolution, up to and including trial and appeal - or appropriate settlement.

Provide oral advice and training to reduce the state's liability exposure.

Reduce defense costs by maximizing the number of cases handled by departmental staff rather than outside, private counsel.

Successfully and thoroughly defend tort litigation against the state, and do so at a fraction of the cost that private counsel would charge to do the job.

Provide reliable in-house expertise to the gamut of state agencies, developed from years of experience in doing public sector tort litigation.

Key Component Issues for FY2001 – 2002

See Service Changes

Major Component Accomplishments for FY2000

Major Component Accomplishments for FY 2000

During fiscal Year 2000, the Special Litigation section has litigated at the trial court level as well as administrative hearing level and briefed a number of major cases before the Alaska Supreme Court.

Appellate Work by the Section

Two cases (filed as class action lawsuits) that arose out of the Miller's Reach Fire in 1996 are now pending before the Supreme Court after the state won their dismissal at the trial court level. They are Angnabooguk v. State and Bartek v. State. The Angnabooguk case was fully briefed during this period while the Bartek briefings are still in progress.

After winning summary judgment at the trial court level in Alpine Industries v. State, the section briefed and argued the case on appeal which deals with the issuance of a public health bulletin by the Division of Public Health.

After winning summary judgment at the trial court level in Nome, the section briefed and argued the case of Wongitillin v. State, a wrongful death lawsuit, seeking damages against the state for failing to serve a misdemeanor arrest warrant against a criminal defendant.

After winning summary judgment at the trial court level, the section briefed issues regarding the liability of the state for an aircraft accident in the case of Himsel v. State.

In a lawsuit filed by Bill Nelson, the section won summary judgment at the trial court level, and Mr. Nelson has appealed the dismissal. The case is in the early stages of the appeal.

Initial briefing has been completed by the section in the case of Hibbits and Purvis v. Sides where the section represented an Alaska State Trooper at the trial court level and won the dismissal of the lawsuit against him. Plaintiffs have appealed and the briefing is complete.

Following a successful trial in Anchorage in September, 1999, in which the state defeated the plaintiff's claims that rocks in the state's right-of-way caused his accident, the plaintiff appealed and the state has cross-appealed. The section is in the middle of briefing both the cross-appeal and the plaintiff's appeal.

The section has completed its Supreme Court brief in the challenge to the 1997 Tort Reform legislation in the case of Evans v. State. The state won summary judgment below and plaintiffs have appealed the decision. Briefing in this matter is voluminous and ongoing. The section is co-counseling the case with outside counsel.

In October, 1999, the section defended the Division of Alaska State Troopers in a wrongful death lawsuit alleging negligent search and rescue on the Denali Highway. (Kiokun v. State) The case was tried to a Bethel jury which allocated 51 percent of the fault to the troopers and 49 percent to the decedents. Both sides have appealed various issues in the case. Briefing will occur during FY 2001.

During this period, the section has additionally briefed two workers' compensation Supreme Court appeals and 8 superior court appeals in workers' compensation cases.

Additional dispositive motions won at the trial court

In a number of cases the section either won complete dismissal of lawsuits through summary judgment or won dismissal of certain claims through summary judgment. Certain of these are already referenced in the above section.

In litigation brought by the insurers of the Denali Princess Hotel and defended by the section, the court granted the state summary judgment and awarded the state \$54,000 in attorney fees and \$27,000 in costs. The insurers did not file an appeal.

The section won dismissal of defamation claims brought by three ferry workers and their spouses against the state and several legislators regarding comments made at a legislative hearing.

In a consolidated case lasting several years at the motion stage, the section successfully won summary judgment in the case of Walker et al. v. Bingham et al. These consolidated cases arose from an accident in which an ATV struck a steel cable strung across an access road by a private landowner and two passengers on the ATV died from the accident.

On remand from the Supreme Court for the second time, the section successfully defended a lawsuit alleging improper use of force by the Alaska State Troopers and Fairbanks police.

In a lawsuit involving an automobile accident with a state vehicle driven by a state employee, the section successfully won summary judgment on the plaintiffs' claim that the state and state employee were negligent in failing to equip the state vehicle with studded tires.

Following summary judgment briefing in the trial court by the section, plaintiff dismissed her wrongful death lawsuit against the Division of Family and Youth Services in which she alleged negligent licensing and supervision of a licensed day care home.

Other Significant Accomplishments

In a hearing before the Alaska Workers' Compensation Board in Fairbanks, the section defeated a claim that over \$100,000 in additional benefits was owed the claimant, who alleged that the state had unconstitutionally and unfairly calculated his weekly benefits by using his actual earnings rather than those later earned by his successor in the job.

The section tried three jury trials, and two non-jury trials during FY2000, as well as 30 workers' compensation hearings before the Alaska Workers' Compensation Board.

Statutory and Regulatory Authority

AS 44.23.020

Special Litigation

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,666.0	1,867.9	1,967.6
72000 Travel	41.9	28.1	28.5
73000 Contractual	294.7	375.5	319.3
74000 Supplies	26.0	35.7	38.9
75000 Equipment	22.1	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,050.7	2,307.2	2,354.3
Funding Sources:			
1004 General Fund Receipts	23.1	79.7	0.0
1007 Inter-Agency Receipts	2,027.6	2,227.5	2,354.3
Funding Totals	2,050.7	2,307.2	2,354.3

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Interagency Receipts	51015	2,027.6	2,227.5	2,251.4	2,354.3	2,288.7
Restricted Total		2,027.6	2,227.5	2,251.4	2,354.3	2,288.7
Total Estimated Revenues		2,027.6	2,227.5	2,251.4	2,354.3	2,288.7

Special Litigation

Proposed Changes in Levels of Service for FY2002

The FY 2002 Governor's budget includes a request for an additional attorney funded part-time in the amount of \$70,900 through interagency receipts from the Department of Administration. This increment is required in FY2002 in order to keep up with a substantial increase in workload handling the state's workers compensation defense. The state is the largest employer in Alaska; the workers' compensation workload for the section is coextensively voluminous. In the past, the section had handled the entire state workers' compensation legal defense workload with only two attorneys, and one paralegal assistant. This is no longer possible due to increased briefing demands of legal issues at the hearing and appellate levels; more complicated medical issues to investigate, research, and prepare for hearing; and changes in statutes and regulations which implicate increased attorney time throughout the administrative and appellate process. For example, the passage of SCS HB 419 this last session has resulted in more litigation (and increased attorney workload) over releases to obtain documents and relevant discovery for workers' compensation claims. Revision of the workers' compensation statutes and subsequent Board decisions have increased the number of claims for rate adjustments and the value of such claims. Interpretation of 1998 changes to regulations such as 8 AAC 45.182(e) has also increased the workload concerning penalty and compensation paid.

Summary of Component Budget Changes

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	79.7	0.0	2,227.5	2,307.2
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY 2001	0.0	0.0	-10.2	-10.2
-Reduce Funding - Tort Reform Carryforward	-79.7	0.0	0.0	-79.7
Proposed budget increases:				
-Workers Compensation Attorney Position and Funding	0.0	0.0	137.0	137.0
FY2002 Governor	0.0	0.0	2,354.3	2,354.3

Special Litigation

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	25	26	Annual Salaries	1,540,799
Part-time	0	0	COLA	29,498
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	448,366
			<i>Less 2.53% Vacancy Factor</i>	(51,063)
			Lump Sum Premium Pay	0
Totals	25	26	Total Personal Services	1,967,600

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Attorney IV	7	1	1	0	9
Attorney V	2	1	0	0	3
Attorney VI	0	0	1	0	1
Legal Secretary I	3	1	1	0	5
Legal Secretary II	1	1	0	0	2
Paralegal Asst II	3	1	1	0	5
Totals	17	5	4	0	26

Component: Transportation Section

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

The Transportation section provides legal representation and advice to DOT/PF on all aspects of the construction and operation of the state's public facilities, including buildings, highways, ferries, airports, harbors, communications facilities, and other public works. By providing advice and representation to the department on these issues, the Transportation section enhances the department's ability to efficiently provide the public infrastructure necessary for the safety and well being of all Alaskans.

Component Goals and Strategies

Provide legal advice to and representation for the Department of Transportation and Public Facilities (DOT/PF) on the myriad issues that it faces.

Provide representation and legal advice to DOT/PF, including the boards and commissions.

Assist DOT/PF in negotiating procurement contracts for equipment, services, construction, real estate, and other necessities on behalf of the department.

Defend DOT/PF procurement decisions and practices.

Assist with and defend the procurement decisions and practices of agencies that have received delegations of procurement authority from the commissioner of DOTPF.

Advise DOTPF on employment matters.

Prepare legislation, regulations, and legal actions necessary to fulfill the goals of DOTPF.

Initiate and prosecute actions necessary to protect public access to state and private lands and to navigable waters throughout Alaska.

Initiate and prosecute actions necessary to protect public transportation facilities and corridors both within and beyond state borders.

Prosecute unlawful users of state lands and facilities.

Key Component Issues for FY2001 – 2002

See proposed changes in level of service provided.

Major Component Accomplishments for FY2000

Defend contracting officer decisions in administrative hearings before the Commissioner of Transportation:

- Three-week hearing on \$1.2 million claim concerning renovation of a hatchery on Fort Richardson. Commissioner awards \$315,000. Case settles on appeal for \$460,000.
- Four-week hearing on \$2 million claim concerning roadwork in Unalaska. Commissioner awards \$538,297.
- Two-week hearing on \$1.1 million claim concerning roadwork in Wasilla. Commissioner awards \$738,081.

Defend contract claim decisions of Commissioner of Transportation in Superior Court:

- Defend and counterclaim on decision to award \$2.2 million (approximately 50 percent of amount claimed by contractor) for termination of contract to renovate Chena Hot Springs Road.
- Defend determination as a matter of law that prejudgment interest may not be awarded to construction contract claimants.

Assist with evaluation before Disputes Review Board of \$46 million claim relating to construction of M/V Kennicott.

Conduct two-week jury trial of Department of Military and Veterans Affairs claim against the Interior Regional Housing Authority for \$600,000 reimbursement of construction cost incurred during relocation of homes following flood in Allakaket, and Housing Authority's counterclaim for \$1.3 million to stabilize homes affected by permafrost changes. Jury awards \$600,000 to state and \$600,000 to Housing Authority, with net result of zero.

Assist Alaska Energy Authority with resolution of contractor's claim for additional compensation related to construction of bulk fuel facility in Chefnak.

Resolve Allakaket Power and Telephone's claim that DOTPF disrupted intertie to neighboring Alutna.

Pursue condemnation cases to acquire right-of-way for road improvements.

Defend inverse condemnation claims that DOTPF's actions took interests in private property, including successful defense of claim that a taking occurred when property values decreased allegedly as a result of the state's planning activities.

Protect state's right and title to rights-of-way, including court action to quiet title to right of way adjacent to Tony Roma's Restaurant in Anchorage (superior court ruled in favor of state; appeal pending in supreme court), action to establish boundaries of Stevens Village Airport, and court actions to eject encroachments on state's rights-of-way.

Court action to establish state's right to use gravel within right-of-way for construction (state prevailed before supreme court).

Pursue federal court actions concerning native allotments in rights-of-way.

Advise DOTPF and other agencies, and defend agency decisions, concerning bid solicitations and bid protests.

Successfully defend in Alaska Supreme Court the decision of the Anchorage International Airport to offer land lease on a competitive basis.

Present training seminars to DOTPF personnel.

Assist Anchorage International Airport with issuance of approximately \$25 million of bonds to help pay for airport redevelopment.

Assist with environmental permitting issues related to placement of fill at Anchorage International Airport.

Assist with issues arising from environmental contamination:

- Recover \$2.1 million from the Department of Defense for cleanup of contamination in Fairbanks.

- Recover costs of environmental cleanup arising from Alaska Court System's construction of Fairbanks Courthouse construction.
- Assist Fairbanks International Airport with cleanup and cost recovery for contamination at former post office building.
- Assist DOT/PF with demolition of asbestos contaminated former seafood processing plant along Ocean Dock Road in Anchorage.
- Resolve U.S. Environmental Protection Agency enforcement action arising out of highway contractor's disposal of excess dirt on bluff in Homer.
- Assist with resolution of liability and contract issues arising from naturally occurring asbestos in gravel pit.

Assist with drafting of new Division of Measurement and Standards regulations.

Assist with drafting of regulations for the operation of the Whittier tunnel and with the negotiation of a joint tunnel operating agreement with the Alaska Railroad.

Statutory and Regulatory Authority

AS 44.23.020

Transportation Section

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,255.0	1,575.9	1,583.5
72000 Travel	33.1	20.2	20.4
73000 Contractual	562.6	373.6	428.7
74000 Supplies	20.0	31.4	33.2
75000 Equipment	16.7	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,887.4	2,001.1	2,065.8
Funding Sources:			
1007 Inter-Agency Receipts	1,887.4	2,001.1	2,065.8
Funding Totals	1,887.4	2,001.1	2,065.8

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
<u>Unrestricted Revenues</u>						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
<u>Restricted Revenues</u>						
Interagency Receipts	51015	1,887.4	2,001.1	2,244.9	2,065.8	2,065.8
Restricted Total		1,887.4	2,001.1	2,244.9	2,065.8	2,065.8
Total Estimated Revenues		1,887.4	2,001.1	2,244.9	2,065.8	2,065.8

Transportation Section

Proposed Changes in Levels of Service for FY2002

The Ted Stevens Anchorage International Airport is undergoing a \$200 million expansion and renovation. This construction and renovation project will continue until 2006. This project has already caused an increase in Department of Law billings. Major issues will continue to arise involving construction contracts and claims, the leasing of new spaces to airlines, the doubling of the retail/food service space and the leasing of that space to existing and new concessionaires, the doubling of the parking concession contract, the construction and integration of a new rail facility, and environmental contamination discovered during construction.

The Ted Stevens Anchorage International Airport continues to grow as a major hub for the international transportation of cargo. Over the past five years, international wide-body cargo landings have increased by 50 percent. In addition to a growing number of cargo flights, new cargo handling facilities such as the Williams Lynx project have been developed. The increased flights and new facilities have significantly raised the number and complexity of issues requiring legal assistance, including issues related to leasing, facility financing, and landing fees. The airport's marketing efforts also have grown more complex as airports in other northern countries compete for the same cargo traffic. An example of the legal work accompanying these efforts is the ongoing attempt to obtain greater federal regulatory flexibility to accommodate foreign air carrier traffic.

Private sector investment at the Ted Stevens Anchorage International Airport under airport lease contracts has exceeded \$120 million over the past 5 years. Further private and public sector growth is projected, including a doubling of the capital improvement program (aside from the ongoing terminal redevelopment project) in the next fiscal year, along with the attendant need for legal services. Proposed projects in their early phases include a privately developed parking garage/rental car facility, a steam heat/electricity co-generation facility, and the creation of new space for airport support services. The parking garage/rental car facility will present legal complexities as it is proposed to be jointly funded by the private and public sectors. The creation of space for airport support services requires the issuance of a federal permit to fill wetlands. Environmental groups recently initiated the first phase of litigation attempting to stop this project.

The need for legal services is projected to increase to assist with the transition to an entirely new set of regulations governing activities at the Anchorage and Fairbanks International Airports and a new five-year operating agreement between the airports and the airlines, both to take effect in 2001.

This increment, in the amount of \$75,600 in interagency receipts from the International Airports Fund, will fund an additional half-time attorney to undertake the expanding workload described above.

Summary of Component Budget Changes

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	0.0	0.0	2,001.1	2,001.1
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY 2001	0.0	0.0	-10.9	-10.9
Proposed budget increases:				
- International Airports Half-Time Attorney	0.0	0.0	75.6	75.6

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2002 Governor	0.0	0.0	2,065.8	2,065.8

Transportation Section
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	19	18	Annual Salaries	1,255,903
Part-time	0	1	COLA	25,516
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	341,597
			<i>Less 2.43% Vacancy Factor</i>	(39,516)
			Lump Sum Premium Pay	0
Totals	19	19	Total Personal Services	1,583,500

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney III	0	0	1	0	1
Attorney IV	4	2	1	0	7
Attorney V	2	2	1	0	5
Legal Secretary I	2	2	0	0	4
Legal Secretary II	1	0	0	0	1
Paralegal Asst I	1	0	0	0	1
Totals	10	6	3	0	19

Component: Timekeeping and Support

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Component Mission

Component Services Provided

Timekeeping and Support is comprised of those cost components of the Civil Division support pool that are division-wide, rather than section-specific. The component combines the following functions:

Law Office Management: This component includes those positions in the Anchorage, Fairbanks, and Juneau offices that perform business functions necessary to the operations of the state's largest law office. These functions include directly supervising legal and clerical support staff, processing some personnel transaction forms, coding and processing invoices for payment, reviewing time and attendance records, maintaining law libraries, processing mail, procuring office supplies, performing receptionist duties, and generally ensuring that all employees have the necessary tools and equipment to carry out their work.

Case Management: Two positions in the Civil Division are responsible for the ongoing establishment, maintenance, and control of case/work management records. The case management system tracks all cases, by type, location, fiscal year, and attorney from opening through closing. In addition, case management maintains the department's indices of opinions, briefs and memoranda of law for the brief bank and handles records center transfers and retrievals.

Timekeeping and Billing: As allowed under OMB Circular A-87, all Civil Division attorneys and paraprofessionals maintain detailed time records in the department's timekeeping and billing system. Work is billed out to all clients (including the Department of Law's own general funds) on an hourly basis. Timekeeping and Billing is responsible for gathering complete and accurate timekeeping data, preparing and submitting billings to client agencies, and maintaining complete and accurate accounting information related to the many reimbursable services agreements Law must enter into in the service of client agencies.

Component Goals and Strategies

No goals and strategies.

Key Component Issues for FY2001 – 2002

See key issues of the Administrative Services Division

Major Component Accomplishments for FY2000

See Accomplishments of the Administrative Services Division

Statutory and Regulatory Authority

AS 44.23.020

Timekeeping and Support

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	567.9	613.9	612.4
72000 Travel	0.0	1.3	1.3
73000 Contractual	25.3	94.3	94.3
74000 Supplies	11.0	27.1	27.1
75000 Equipment	0.8	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	605.0	736.6	735.1
Funding Sources:			
1004 General Fund Receipts	0.0	16.0	15.9
1007 Inter-Agency Receipts	605.0	720.5	719.2
1053 Investment Loss Trust Fund	0.0	0.1	0.0
Funding Totals	605.0	736.6	735.1

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	605.0	720.5	707.9	719.2	719.2
Investment Loss Trust Fund	51393	0.0	0.1	0.0	0.0	0.0
Restricted Total		605.0	720.6	707.9	719.2	719.2
Total Estimated Revenues		605.0	720.6	707.9	719.2	719.2

Timekeeping and Support**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	16.1	0.0	720.5	736.6
Adjustments which will continue current level of service:				
-Year 2 Labor Costs - Net Change from FY 2001	-0.2	0.0	-1.3	-1.5
FY2002 Governor	15.9	0.0	719.2	735.1

Timekeeping and Support
Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	14	14	Annual Salaries	441,598
Part-time	0	0	COLA	6,787
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	179,387
			<i>Less 2.45% Vacancy Factor</i>	(15,372)
			Lump Sum Premium Pay	0
Totals	14	14	Total Personal Services	612,400

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Tech I	0	0	1	0	1
Accounting Tech II	0	0	1	0	1
Accounting Tech III	0	0	1	0	1
Administrative Assistant	0	1	1	0	2
Administrative Clerk I	1	1	1	0	3
Administrative Clerk II	2	0	0	0	2
Administrative Clerk III	0	0	2	0	2
Administrative Manager I	1	0	0	0	1
Administrative Supervisor	1	0	0	0	1
Totals	5	2	7	0	14

BRU/Component: Statehood Defense

(There is only one component in this BRU. To reduce duplicate information, we did not print a separate BRU section.)

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Component Mission

Mission statement appears at the department summary level.

Component Services Provided

The Statehood Defense group handles the following types of cases:

ENDANGERED SPECIES ACT CASES: These cases involve the efforts of the National Marine Fisheries Service to protect Columbia River fall chinook salmon, listed as endangered under the Endangered Species Act, by restricting chinook salmon harvest in Alaska. The state considers the restriction unreasonable because it will have an insignificant effect on the salmon population, which has been decimated by the dams on the river system.

SUBMERGED LANDS CASES: The State of Alaska took title to all the lands underlying navigable waters within its borders at statehood; under the Equal Footing Doctrine, such lands pass to new states automatically, as a matter of constitutional right. However, in response to the United States' reluctance to recognize the state's title, Alaska has been forced to protect its title in several instances.

ACCESS CASES: Because of the patchwork of land ownership in Alaska among the state, the United States, and private landowners, and because of the lack of public infrastructure, access is extremely important to the public. The state currently is in litigation against the United States on an RS2477 right-of-way, the Harrison Creek-Portage Creek Trail. Additionally, the state has several other cases where access is a primary issue, and the state periodically reviews proposed federal Public Use Management Plans to comment on public access issues.

ANILCA CHALLENGES: These cases constitute challenges by rural residents based on the priority granted them in Title VIII of the Alaska National Interest Lands Conservation Act for hunting and fishing for subsistence purposes. The state is defending its regulatory authority in several cases in U.S. District Court and anticipates further cases now that the federal regulations granting the Federal Subsistence Board broad regulatory authority have become final.

PROTECTION OF SALMON RESOURCES: The department is fighting to protect Alaska's salmon resources on several fronts. First, we provide legal advice to the Department of Fish and Game in the Pacific Salmon Treaty arena. In this capacity, we work closely with Alaska's treaty negotiators to develop strategy for treaty negotiations and implementation within the United States Section and bilaterally with the Government of Canada. Second, we handle litigation that arises out of the Pacific Salmon Treaty. Finally, we remain in litigation against the Pacific Northwest Indian Tribes in *United States v. Washington*. In this case, the Tribes seek a ruling that the treaties they entered with the United States in the 1850's entitle them to a share of the salmon caught in Southeast Alaska. The parties have filed a stipulation to stay the case as a result of the 1999 amendments to the Pacific Salmon Treaty recently agreed upon by the United States and Canada.

REVIEW OF FEDERAL LEGISLATIVE, REGULATORY, AND ADMINISTRATIVE PROPOSALS: The department frequently comments on and drafts amendments to bills before Congress on a wide range of resource related topics including amendments to the Alaska Native Claims Settlement Act, the Alaska National Interest Lands Conservation Act, and the Endangered Species Act. The department also assists with state comments on federal proposals such as the Forest Service Roadless Initiative, and designation of new national monuments in Alaska.

Component Goals and Strategies

The Statehood Defense group of the Department of Law litigates issues raised by conflicts between state and federal jurisdiction. The group handles a variety of complex cases that will have a profound and lasting impact on management of Alaska's natural resources. The state frequently must defend against encroachment by the federal government into areas traditionally regulated by the state.

1. To continue to litigate to protect the State's fisheries management authority.
 - The federal courts hold that the state, not the United States, has authority to manage hunting and fishing for subsistence purposes in navigable waters in which the federal government has water rights.
 - The federal courts hold that the United States does not have authority to regulate hunting and fishing on lands that have been selected, but not conveyed.
 - The federal courts hold that the United States does not have authority to regulate fisheries off "public lands" as defined in ANILCA.
2. To protect Alaska's salmon resources in the Pacific Salmon Treaty.
 - Southern U.S. treaty parties adhere to long-term agreement for the sharing of Chinook salmon.
 - The federal government focuses on the true causes of the decline of endangered Pacific salmon stocks instead of restricting the harvest of Alaska fishers.
3. To participate in the ESA process as it relates to Pacific salmon and litigate when needed to protect Alaska against unreasonable restrictions on harvest levels of salmon listed under the Endangered Species Act, when Alaska's incidental take has little measurable effect on the number of fish returning to spawn.
4. To protect access to state and private lands and on public waters across Alaska.
 - Alaska continues to litigate title to the RS 2477 right-of-way known as the Harrison Creek-Portage Creek Trail.
 - Alaska files suit or otherwise acts to protect access on navigable waters restricted by upland owners.
 - Alaska publishes maps and pamphlets to educate the public about their rights to access public waterways and easements as well as the limits on use of private uplands.
 - Alaskans are able to exercise their rights to access state and private lands through federal lands.
 - Alaska provides information to BLM that convinces it to declare waterways navigable within the survey windows it is completing.
5. To litigate to protect the State's title to navigable waters.

Alaska continues its suit in the United States Supreme Court to quiet title to the submerged lands underlying the marine waters of the Tongass National Forest and Glacier Bay National Park.

6. To continue to advise the Department of Fish and Game on federal subsistence issues and to provide regular advice on state interaction with the federal subsistence program
 - The federal subsistence program considers the state's comments on proposed regulations, places conservation first, and does not infringe upon the state's regulatory authority or unnecessarily restrict the use of the state's fish and game by qualified subsistence, sport, or commercial users under state law.
 - Protocols are developed to facilitate dual management by the state and federal programs.

7. To litigate to protect Alaska's jurisdiction to manage, protect, and use its own resources against challenges by or on behalf of the federal government.

- Alaska will be free to regulate activities on navigable waters and on state and private lands without interference from the United States.

Key Component Issues for FY2001 – 2002

Glacier Bay -Filed an original action in the United States Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska, including those within Glacier Bay National Park and the Tongass National Forest, and were successful in getting the court to accept the case. The court assigned a special master who began work in October, 2000. The \$170,000 included in our Statehood Defense budget to handle this case did not anticipate the cost of the special master. The trial is anticipated for FY 2002. We plan to seek funding for the approximately \$205,000 in projected need for this case as a supplemental to our FY 2001 operating budget.

Major Component Accomplishments for FY2000

On Access to state and private lands and on public waters across Alaska:

Alaska continues to work towards resolution of litigation over its claim of title to the Harrison Creek-Portage Creek RS 2477 trail and the Jualin Mine RS 2477 road.

Alaska has continued to provide information and develop pamphlets for public distribution educating the public on its rights to access public waterways and easements, as well as the limits on use of private uplands.

Alaska has educated individual property owners about public rights of access to public waterways.

On litigation to protect the State's title to navigable waters:

Alaska filed an original action in the United States Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska, including those within Glacier Bay National Park and the Tongass National Forest, and is progressing with the case.

On Protection of Salmon Resources:

Alaska has participated in the Section 7 consultation process under the Endangered Species Act which resulted in a Biological Opinion approving the Pacific Salmon Treaty and management of the Southeast Alaska salmon fisheries subject to the Pacific Salmon Treaty as not likely to jeopardize any of 16 listed Evolutionarily Significant Units (ESUs) of Pacific Salmon, steelhead or cutthroat trout.

Alaska continues to act as a cooperating agency in the preparation of an Environmental Impact Statement (EIS) addressing the coastwide salmon fishery.

On Protection of State Fisheries Authority:

The department appealed a final judgment finding federal authority to manage most navigable waters in Alaska for subsistence hunting and fishing, and convinced the Ninth Circuit Court of Appeals to hear the case as a full court.

Alaska Department of Law continued to advise the Department of Fish and Game on federal subsistence issues and to provide regular advice on state interaction with the federal subsistence program.

The Department drafted and/or reviewed the state's comments about proposed federal regulations that affect state authority and resources, such as the Federal Subsistence Board proposal to designate the Kenai Peninsula as rural, and the federal program to compensate the fishermen phased out of the Glacier Bay fisheries.

The state has filed an amicus brief with the Ninth Circuit Court of Appeals in Greenpeace v. NMFS, challenging the issuance of the injunction closing areas within 20 miles of shore to groundfish trawling, to protect stellar sea lions.

Statutory and Regulatory Authority

AS 44.23.020

Statehood Defense

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	680.7	695.2	754.3
72000 Travel	9.1	14.4	14.4
73000 Contractual	229.6	364.4	300.3
74000 Supplies	10.9	26.4	26.4
75000 Equipment	9.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	939.3	1,100.4	1,095.4
Funding Sources:			
1004 General Fund Receipts	925.8	1,093.9	1,095.4
1007 Inter-Agency Receipts	13.5	0.0	0.0
1053 Investment Loss Trust Fund	0.0	4.7	0.0
1108 Statutory Designated Program Receipts	0.0	1.8	0.0
Funding Totals	939.3	1,100.4	1,095.4

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	13.5	0.0	0.0	0.0	0.0
Statutory Designated Program Receipts	51063	0.0	1.8	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	4.7	0.0	0.0	0.0
Restricted Total		13.5	6.5	0.0	0.0	0.0
Total Estimated Revenues		13.5	6.5	0.0	0.0	0.0

Statehood Defense**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	1,098.6	0.0	1.8	1,100.4
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.8	0.0	-1.8	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-5.0	0.0	0.0	-5.0
FY2002 Governor	1,095.4	0.0	0.0	1,095.4

Statehood Defense

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	9	9	Annual Salaries	592,055
Part-time	1	1	COLA	12,748
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	172,800
			<i>Less 3.00% Vacancy Factor</i>	(23,328)
			Lump Sum Premium Pay	0
Totals	10	10	Total Personal Services	754,275

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Attorney III	3	0	0	0	3
Attorney IV	2	0	0	0	2
Attorney V	2	0	0	0	2
Legal Secretary I	1	0	0	0	1
Paralegal Asst II	1	0	0	0	1
Totals	10	0	0	0	10

Oil and Gas Litigation and Legal Services Budget Request Unit

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BRU Mission

Mission statement appears at the department summary level.

BRU Services Provided

Most of the state's operating revenues are derived from oil and gas corporate income taxes, production taxes, and royalties on Alaska North Slope ("ANS") crude oil. The value of that crude for production tax and royalty purposes is largely determined by the price that ANS commands in its destination markets, less the costs of transporting it to those markets. The transportation costs, in turn, consist primarily of the tariffs charged by the Trans-Alaska Pipeline System ("TAPS") and the producers' tanker costs. Accurately determining ANS destination values, allowable transportation costs, and corporate income ensures the integrity of the state's fiscal system.

The Oil and Gas Litigation and Legal Services appropriation funds legal services related to these and other oil and gas development issues. These services include tariff disputes with the owners of TAPS and its feeder pipelines and the assessment and collection of unpaid royalties and taxes from oil and gas producers. Legal services related to lease sales, drafting and interpreting oil and gas statutes and regulations, pipeline right-of-way issues, and oil and gas conservation are also funded by this appropriation, as are the contracts with outside counsel and expert consultants on large or complex oil and gas cases.

Because legal services related to oil and gas development have a significant effect on that development and the amount of state revenue derived from it, these services are funded separately within the Department of Law's operating budget. This enhances the ability of the governor and the legislature to ensure that an appropriate level of funding is made for these services.

PIPELINE-RELATED CASES

The state has expended substantial resources to monitor compliance with the 1985 TAPS settlement. The department performs this function by reviewing and challenging tariff filings by the owners of the pipelines operating in the state. This vigilance can earn the state millions of dollars annually. As production of oil continues to decline in Alaska, this monitoring is becoming more and more important because transportation costs through TAPS are a major component of total transportation costs to destination markets.

A TAPS shipper has protested intrastate tariffs before the Regulatory Commission of Alaska. Intrastate and interstate tariffs are set according to the TAPS Settlement Methodologies (TSM), agreed to in 1985. The state has achieved significant benefits from the TSM, both interstate and intrastate, and is contractually obligated to defend the methodologies. While the state regularly monitors tariffs to ensure that the methodologies are correctly followed, the protest raised in this case challenges some of the bases of the TSM methodology. As a major rate case, the matter requires significant assistance from contract counsel and experts. The state has protested tariffs on the Cook Inlet Pipeline, and the new Alpine pipeline. These rate cases also require experts and assistance from contract counsel.

The department also will finance an annual audit of Alyeska Pipeline Services Company and the major owner companies to determine if certain operating and capital costs are properly included in the TAPS tariff. Information revealed during the audit forms the basis for future tariff protests. Litigation may result if Alyeska and the owners fail to respond adequately to the state's requests for information.

Another case that has not been resolved involves a dispute among TAPS over the effects on tariffs caused by quality bank adjustments, which are adjustments made to compensate for the different qualities of crude oil and refinery return streams flowing through TAPS. Some of the parties (including the state) have agreed to a settlement but two other parties are opposing the settlement.

Renewal of the TAPS right-of-way lease, which expires in 2004, is a major project that requires significant resources. Alyeska, the federal government, and the state are currently engaged in discussions involving how compliance with existing lease terms will be measured and how a new lease will be negotiated.

The department will also provide legal assistance to support the Alaska North Slope natural gas development project. Both in-house and outside counsel will be used in this endeavor.

TAX CASES

This department is pursuing millions of dollars in past-due taxes and interest that are owed by oil and gas producers to the state. In some cases, tens of thousands of documents have to be examined and numerous potential witnesses have to be interviewed or deposed in order to prepare for hearing. These hearings can last for months. At this time, one tax case appears headed for a hearing. Nevertheless, the department will be expending far less money on these cases in FY2002 than it has in the not-too-distant past, as a consequence of its successful efforts to resolve most of the state's major disputes with its oil and gas producers.

The department also anticipates that it may litigate several complex property tax cases involving the Trans-Alaska Pipeline and other oil and gas properties during FY2002. These cases will require the advice and testimony of expert witnesses, and may require the assistance of contract counsel.

ROYALTY CASES

Royalty disputes regularly arise between the oil and gas producers and the state. Although the department handles most of these disputes in-house, assistance from outside counsel and experts is sometimes necessary. For example, several of the producers have reopened negotiations over the previously settled Alaska North Slope royalty disputes based on marketplace changes. The department will require assistance from some of the outside attorneys and experts originally involved in the royalty dispute.

OIL AND GAS MERGER AND PRODUCT PRICING INVESTIGATIONS

The department is currently investigating the proposed merger of Chevron and Texaco and the level of petroleum product prices in the state. Both of these investigations will involve the review of hundreds of boxes of documents, and will rely heavily on the use of outside expert consultants.

BRU Goals and Strategies

To maximize the state's revenues by enforcing antitrust laws against oil and gas companies.

To maximize the state's revenues by enforcing the state's oil and gas royalty and taxation statutes and regulations.

To maximize the state's revenues through monitoring expenses that reduce oil and gas valuation.

To protect valuable state lands and resources against title and lease challenges.

To maximize the state's revenues through development of natural gas resources.

Key BRU Issues for FY2001 – 2002

Appropriations for Oil and Gas Litigation have steadily declined from \$32.9 million in FY 1994, to \$11.9 million in FY 1997, and to \$4.9 million in FY 2001. The department is requesting level funding in FY 2002.

The amount requested for this BRU over the last few years reflects a sharp reduction in the use of outside counsel and a major shift of responsibility for major oil and gas litigation from outside counsel to staff attorneys. The department attorneys are expected to litigate most tax cases with little or no assistance from outside counsel and

consultants. However, the department will continue to require substantial amounts to cover the cost of experts and document handling for these cases.

Although the amounts requested to pursue the state's oil and gas litigation efforts are large, they will return substantial revenues to the state treasury. Expenditures by producers in the past have far exceeded the state's. For this reason, the section is careful to ensure that the state's litigation resources are managed to their best advantage, particularly with respect to containing outside counsel costs by close contract supervision and shifting substantial responsibility to staff attorneys.

Major BRU Accomplishments for FY2000

- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.
- Defended state's tariff settlement agreements during the period of the agreements to ensure that the state receives the benefits of those agreements.
- Pursued legal remedies that will determine the cost of processing the state's royalty share of natural gas liquids.
- Pursued oil and gas tax assessments made by state tax auditors in both the oil and gas audit and income and excise tax divisions.
- Pursued the state's interests in net profit share oil leases.
- Promoted further oil and gas development in Alaska by assisting resource agencies in drafting regulations, defending lease sales, and accomplishing other tasks in aid of development.
- Successfully negotiated the final decree in the Dinkum Sands (Beaufort Sea) case and secured court approval of the decree. As a result, Alaska received its share of escrowed funds and Alaska's title to disputed lands was quieted.

Oil and Gas Litigation and Legal Services

BRU Financial Summary by Component

All dollars in thousands

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures												
Oil & Gas Litigation	3,908.9	0.0	1,477.0	5,385.9	3,209.7	0.0	1,477.0	4,686.7	2,959.7	0.0	1,477.0	4,436.7
Oil & Gas Legal Services	370.3	0.0	0.0	370.3	295.7	0.0	0.0	295.7	295.7	0.0	0.0	295.7
Totals	4,279.2	0.0	1,477.0	5,756.2	3,505.4	0.0	1,477.0	4,982.4	3,255.4	0.0	1,477.0	4,732.4

Oil and Gas Litigation and Legal Services

Proposed Changes in Levels of Service for FY2002

No service changes.

Oil and Gas Litigation and Legal Services

Summary of BRU Budget Changes by Component

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	3,505.4	0.0	1,477.0	4,982.4
Adjustments which will continue current level of service:				
-Oil & Gas Litigation	-250.0	0.0	0.0	-250.0
FY2002 Governor	3,255.4	0.0	1,477.0	4,732.4

Component: Oil & Gas Litigation

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Component Mission

Mission statement is included at the department summary level.

Component Services Provided

The legislature first identified the Oil and Gas Litigation component of the Oil and Gas Litigation and Legal Services BRU as a separate allocation in FY1999. Prior to that, the services covered by the component were an undifferentiated part of the Oil and Gas Litigation BRU. The component covers services performed by attorneys and staff in the Oil, Gas, and Mining section of the Department of Law, and by contract counsel and expert consultants, that fall within one or more of the following categories:

A. Cases in court or at the administrative hearing stage (including tax disputes at the informal conference stage).

B. Advice to agencies in disputes with taxpayers, leaseholders, citizens' groups or other parties, even if the matter has not yet proceeded to court or an administrative hearing.

C. Assistance to and preparation of agencies in anticipation of possible litigation, including work in anticipation of the filing of a complaint, protest, or appeal.

ANTITRUST CASES

Department attorneys investigate possible antitrust violations resulting from recent mergers by oil and gas companies and either will litigate or, if an agreement is reached, will monitor and enforce compliance by the company. In addition, the state has filed demands for information from a number of gasoline refiners and marketers as part of an antitrust investigation and may pursue action if warranted.

TAX-RELATED SERVICES

The state has resolved many of the outstanding tax cases from earlier years. Taxes are annual obligations, however, and more recent audit cycles have been completed. Tens of millions of dollars in taxes and interest are still owed by the oil and gas producers to the state.

Most of the cases with smaller assessments are handled in-house by section attorneys. Where the assessments are very large, however, or when the issues are particularly complex, the state hires experts and may employ outside counsel to ensure maximum preparation and ultimate recovery for the state.

Until recently, oil and gas property tax cases rarely proceeded beyond the administrative stage. That changed in FY1997. The department anticipates that more and more property cases will be vigorously contested as the major North Slope production facilities and the pipeline continue to age and decrease in value, leaving municipalities along the pipeline corridor with a dwindling property tax base. These cases, like other oil and gas tax cases, are extremely costly to litigate and require the advice and testimony of expert witnesses and considerable attorney time.

ROYALTY-RELATED SERVICES

The department represents the Department of Natural Resources on a number of royalty disputes between the oil and gas producers and the state. This representation includes reviewing audits, and analyzing company responses, preparing for and assisting in, settlement negotiations and, where necessary, proceeding with legal action. Since the settlement of the massive Alaska North Slope (ANS) royalty case, most royalty matters have been handled primarily in-house. Some parties to the ANS settlements have asserted their rights to reopen the settlements. In

those cases, the department relies heavily on contract counsels' past experience with the ANS royalty litigation to renegotiate the settlements.

PIPELINE-RELATED SERVICES

Department attorneys are responsible for monitoring compliance with the 1985 Trans-Alaska Pipeline System (TAPS) settlement and, if necessary, challenging TAPS tariff filings. These cases can be worth millions of dollars to the state annually. A shipper's challenge to the intrastate TAPS tariffs is in the discovery stage, and proceeding toward a hearing before the Regulatory Commission of Alaska. This case challenges the TAPS settlement methodologies, and requires the assistance of outside counsel and experts.

The department attorneys also monitor and protest, when appropriate, tariffs on other common carrier pipelines. The section also provides general legal advice and assistance to the Department of Natural Resources' State Pipeline Coordinator's Office (SPCO) on pipeline-related matters, including renegotiation of the TAPS right-of-way agreement. A new gas pipeline would require issuance of a new right-of-way lease, which would be negotiated by department attorneys and contract counsel.

RESOURCE DEVELOPMENT

Oil, Gas, and Mining funds legal and expert assistance to the departments of Revenue and Natural Resources in their efforts to encourage development of Alaska North Slope natural gas. Department of Law attorneys provide legal advice on a wide-range of gas-related topics, from right-of-way lease requirements to the constitutionality of proposed changes to the state's fiscal regime. Considerable time will continue to be devoted to this project in FY2002 due to its complexity and importance to the state.

Component Goals and Strategies

See BRU Goals and Strategies for FY2002.

Key Component Issues for FY2001 – 2002

See BRU Key Issues for FY2002.

Major Component Accomplishments for FY2000

- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.
- Defended state's tariff settlement agreements during the period of the agreements to ensure that the state receives the benefits of those agreements.
- Audited producers' royalty payments, and collected additional royalties due the state.
- Pursued legal remedies that will determine the cost of processing the state's royalty share of natural gas liquids.
- Successfully negotiated the final decree in the Dinkum Sands (Beaufort Sea) case and secured court approval of the decree. As a result, Alaska received its share of escrowed funds and Alaska's title to disputed lands was quieted.
- Pursued oil and gas tax assessments made by state tax auditors in both the oil and gas audit and income and excise tax divisions.
- Pursued the state's interests in net profit share oil leases.
- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.

· Promoted further oil and gas development in the by assisting resource agencies in drafting regulations, defending lease sales, and accomplishing other tasks in aid of development.

Statutory and Regulatory Authority

as 44.23.020

Oil & Gas Litigation

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	0.1	0.0	0.0
72000 Travel	36.2	0.0	0.0
73000 Contractual	5,344.9	4,686.7	4,436.7
74000 Supplies	4.7	0.0	0.0
75000 Equipment	0.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	5,385.9	4,686.7	4,436.7
Funding Sources:			
1004 General Fund Receipts	3,908.9	3,209.7	2,959.7
1105 Alaska Permanent Fund Corporation Receipts	1,477.0	1,477.0	1,477.0
Funding Totals	5,385.9	4,686.7	4,436.7

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	7,569.2	0.0	0.0	0.0	0.0
Unrestricted Total		7,569.2	0.0	0.0	0.0	0.0
Restricted Revenues						
Permanent Fund Earnings Reserve Account	51373	1,477.0	1,477.0	1,477.0	1,477.0	1,477.0
Restricted Total		1,477.0	1,477.0	1,477.0	1,477.0	1,477.0
Total Estimated Revenues		9,046.2	1,477.0	1,477.0	1,477.0	1,477.0

Oil & Gas Litigation**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	3,209.7	0.0	1,477.0	4,686.7
Adjustments which will continue current level of service:				
-Reduce Funding - Oil & Gas Litigation and Legal Services Carryforward	-250.0	0.0	0.0	-250.0
FY2002 Governor	2,959.7	0.0	1,477.0	4,436.7

Component: Oil & Gas Legal Services

Contact: Jan Levy, Assistant Attorney General

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Component Mission

Mission statement appears at the department summary and BRU level.

Component Services Provided

The legislature first identified the Oil and Gas Legal Services component of the Oil and Gas Litigation and Legal Services BRU as a separate allocation in FY1999. Prior to that, the services covered by the component were an undifferentiated part of the Oil and Gas Litigation BRU. The component covers services performed by attorneys and staff in the Oil, Gas, and Mining section of the Department of Law that fall within one or more of the following categories:

- A. General advice to agencies on matters in which no litigation is anticipated.
- B. Assistance to agencies in drafting, editing, or reviewing legislation or regulations in a non-litigation context.
- C. Assistance to agencies in negotiating unit agreements or other contracts.

These activities conserve state revenues by clarifying processes and policies to avoid later disputes, which may result in litigation. As discussed in the Oil and Gas Litigation and Legal Services BRU Issues section, the state has been improving its in-house auditing and litigation capabilities.

TAX-RELATED SERVICES

Department staff provides the Department of Revenue day-to-day legal advice. Topics include interpretation of existing regulations and statutes, drafting of new regulations, coordination to insure consistent application of department policy, and general advice regarding current legal developments.

ROYALTY-RELATED SERVICES

The department provides the Department of Natural Resources with day-to-day legal advice that supports royalty collection efforts, but does not itself constitute litigation-related services. The services include advice on interpretation of statutes and regulations to ensure uniform application of policy, advice on drafting new regulations and amending old regulations, and advice on procedural questions regarding royalty reports and audits.

PIPELINE-RELATED SERVICES

Department attorneys are responsible for monitoring compliance with the 1985 Trans-Alaska Pipeline System (TAPS) settlement and, if necessary, challenging TAPS tariff filings. These cases can be worth millions of dollars to the state annually. The section also provides general legal advice and assistance to the Department of Natural Resources' State Pipeline Coordinator's Office (SPCO) on pipeline-related matters, including advice on regulations, communications, and procedures.

RESOURCE DEVELOPMENT

As part of resource development, the Department of Natural Resources administers the oil and gas leasing program. Although the revenue generated by the bonus bids is not large, the program lays the foundation for exploration and development of the state's hydrocarbon resources. Only with a successful leasing program can the revenue base from tax and royalties be sustained. The lease sale program has been challenged in the past and considerable Department of Law attorney time and effort has been and will continue to be expended to defend the program.

Department staff also handles problems with North Slope leases where the state's record as a lessor is at issue. Future resource development activities, including the development of ANWR, depend in large part on the state's record as a land manager. Department attorneys assist in improving this record.

Component Goals and Strategies

To maximize the state's revenues by enforcing antitrust laws against oil and gas companies.

To maximize the state's revenues by enforcing the state's oil and gas royalty and taxation statutes and regulations;

To maximize the state's revenues through monitoring expenses that reduce oil and gas valuation;

To protect valuable state lands and resources against title and lease challenges.

Key Component Issues for FY2001 – 2002

See BRU Key Issues.

Major Component Accomplishments for FY2000

- Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.
- Defended state's tariff settlement agreements during the period of the agreements to ensure that the state receives the benefits of those agreements.
- Reduced the tariffs charged for oil transported through the Trans-Alaska Pipeline System (TAPS) and other pipelines to an amount that reflects proper rate-making methodology and equitable cost factors.
- Pursued legal remedies that will determine the cost of processing the state's royalty share of natural gas liquids.
- Resolved disputes with the federal government over implementation of the United States Supreme Court Dinkum Sands decision.
- Pursued oil and gas tax assessments made by state tax auditors in both the oil and gas audit and income and excise tax divisions.
- Pursued the state's interests in net profit share oil leases.
- Promoted further oil and gas development in the by assisting resource agencies in drafting regulations, defending lease sales, and accomplishing other tasks in aid of development.

Statutory and Regulatory Authority

AS 44.23.020

Oil & Gas Legal Services
Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	0.0	0.0	0.0
72000 Travel	0.0	0.0	0.0
73000 Contractual	370.3	295.7	295.7
74000 Supplies	0.0	0.0	0.0
75000 Equipment	0.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	370.3	295.7	295.7
Funding Sources:			
1004 General Fund Receipts	370.3	295.7	295.7
Funding Totals	370.3	295.7	295.7

Oil & Gas Legal Services**Proposed Changes in Levels of Service for FY2002**

None.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	295.7	0.0	0.0	295.7
FY2002 Governor	295.7	0.0	0.0	295.7

Administration and Support Budget Request Unit

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BRU Mission

Mission statement appears at the department summary level.

BRU Services Provided

The Administration and Support BRU includes the Office of the Attorney General and the Administrative Services Division.

The Office of the Attorney General provides overall management of the Department of Law. The Attorney General, as the principal executive officer of the department, is responsible for both the legal and the administrative aspects of the department's operations. The Office of the Attorney General provides leadership, support, and oversight of department operations that make it possible for the department to provide legal services to state agencies, to ensure that the civil and criminal laws of the state are followed, to defend the state in legal actions, and to implement the Executive Branch Ethics Act. In addition, the Office of the Attorney General is involved in a variety of interdepartmental efforts to improve government service to Alaskans and provides staff support for several interdepartmental and public/private groups focused on specific issues facing the state.

The Administrative Services Division provides the core administrative services that are essential to the day-to-day operation of the Department of Law and to managing the resources of the department. These include budgeting, personnel and payroll, procurement, accounting, computer and network services, data processing, timekeeping and billing, and monitoring and forecasting departmental expenses.

BRU Goals and Strategies

Goals and strategies are included at the department level.

Key BRU Issues for FY2001 – 2002

See Key Issues at the Department Level. Key Issues for the Administrative Services Division are at the component level.

Major BRU Accomplishments for FY2000

Major accomplishments are included at the department level and at the Administrative Services component level.

Administration and Support
BRU Financial Summary by Component

All dollars in thousands

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures Office of the Attorney General	326.5	0.0	0.0	326.5	339.9	0.0	0.6	340.5	338.2	0.0	0.0	338.2
Administrative Services	545.2	0.0	551.1	1,096.3	559.1	0.0	642.7	1,201.8	557.8	0.0	679.8	1,237.6
Totals	871.7	0.0	551.1	1,422.8	899.0	0.0	643.3	1,542.3	896.0	0.0	679.8	1,575.8

Administration and Support**Proposed Changes in Levels of Service for FY2002**

No service changes.

Administration and Support**Summary of BRU Budget Changes by Component****From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	899.0	0.0	643.3	1,542.3
Adjustments which will continue current level of service:				
-Office of the Attorney General	-1.7	0.0	-0.6	-2.3
-Administrative Services	-1.3	0.0	-6.4	-7.7
Proposed budget increases:				
-Administrative Services	0.0	0.0	43.5	43.5
FY2002 Governor	896.0	0.0	679.8	1,575.8

Component: Office of the Attorney General

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Component Mission

No mission statement.

Component Services Provided

The Attorney General is the principal executive officer of the Alaska Department of Law. In this role he is responsible for both the legal and administrative aspects of the department's operations. This component supports the Attorney General and his immediate staff as he carries out his statutorily defined functions.

The Attorney General serves as legal advisor for the governor and other state officers. In addition, the Attorney General is responsible for representing the state in all civil actions to which it is a party; prosecuting all cases involving violation of state law; administering state legal services, including furnishing written legal opinions and giving advice on laws or proposed legislation; drafting legal instruments for the state; and bringing, prosecuting, and defending all necessary actions in the name of the state for the collection of revenue.

Component Goals and Strategies

Protect the interests of Alaska citizens and the resources of the state by ensuring that effective, high-quality legal services are provided to state agencies and officers.

Ensure that the civil and criminal laws of the state are followed.

Assist law enforcement agencies with criminal investigations by providing legal and tactical advice.

Reduce fraud in benefit programs.

Represent and defend the state in legal actions.

Implement the Executive Branch Ethics Act.

Manage the department's resources effectively and efficiently to provide support for the work of the department's employees.

Participate actively in interdepartmental efforts to improve government services to Alaskans.

Key Component Issues for FY2001 – 2002

Key Issues are included at the department level.

Major Component Accomplishments for FY2000

Participated in interagency effort on the Balloon Project to reduce backlog of children in foster care longer than new state and federal laws permit. As of October 15, 2000, 81 percent of these children were in a permanent placement and in another 13 percent of the cases, the legal work to free these children for adoption is complete.

Continued its work on litigation involving oil and gas, bringing into the state treasury \$450 million in tax and royalty settlements. Protected the state's revenue, resource development, environmental, and societal interests in antitrust matters involving oil and gas companies in Alaska.

Developed a comprehensive new consumer protection and antitrust web page that serves as a resource for Alaskans on a wide variety of consumer protection and antitrust issues.

Filed an original action in the United States Supreme Court to quiet title to all lands underlying marine waters in Southeast Alaska.

Appealed to the Ninth Circuit Court of Appeals the final judgment of Federal District Court in the Katie John case, finding federal authority to manage most navigable waters in Alaska for subsistence hunting and fishing; successful in convincing the Ninth Circuit to hear the case as a full court.

Continued efforts to develop the law as it relates to Alaska Natives and the relationship between Alaska Natives and the state. We worked to resolve the law on tribal recognition and tribal authority post-Venette through our briefing and presentation to the Alaska Supreme Court in the landmark John v. Baker case. The court issued its decision in September 1999.

Began discussions, as part of the State-Tribal Relations Team, with Alaska's federally recognized tribes to define the nature of a government-to-government relationship between the state and the tribes.

Successfully defended the constitutionality of the sex offender registration law in the federal district court; successfully defended the manslaughter statute against a claim by advocates of physician-assisted suicide.

Prosecuted Medicaid provider fraud and obtained restitution and civil and criminal fines totally over \$1 million.

Statutory and Regulatory Authority

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Office of the Attorney General
Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	242.5	250.4	252.4
72000 Travel	17.4	10.0	10.0
73000 Contractual	55.2	76.1	67.0
74000 Supplies	10.9	4.0	8.8
75000 Equipment	0.5	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	326.5	340.5	338.2
Funding Sources:			
1004 General Fund Receipts	326.5	338.2	338.2
1053 Investment Loss Trust Fund	0.0	1.7	0.0
1108 Statutory Designated Program Receipts	0.0	0.6	0.0
Funding Totals	326.5	340.5	338.2

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Statutory Designated Program Receipts	51063	0.0	0.6	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	1.7	0.0	0.0	0.0
Restricted Total		0.0	2.3	0.0	0.0	0.0
Total Estimated Revenues		0.0	2.3	0.0	0.0	0.0

Office of the Attorney General

Proposed Changes in Levels of Service for FY2002

None.

Summary of Component Budget Changes

From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	339.9	0.0	0.6	340.5
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	0.6	0.0	-0.6	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-2.3	0.0	0.0	-2.3
FY2002 Governor	338.2	0.0	0.0	338.2

Office of the Attorney General

Personal Services Information

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	3	3	Annual Salaries	193,617
Part-time	0	0	COLA	4,446
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	54,379
			<i>Less 0.00% Vacancy Factor</i>	(0)
			Lump Sum Premium Pay	0
Totals	3	3	Total Personal Services	252,442

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Commissioner	0	0	1	0	1
Exec Secretary II	0	0	1	0	1
Spec Asst To The Comm II	0	0	1	0	1
Totals	0	0	3	0	3

Component: Administrative Services

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Component Mission

The mission of the Division of Administrative Services is to provide support services to departmental programs.

Component Services Provided

1. Financial management and forecasting - Regular review, monitoring, and reporting of expenditures and revenues with the additional emphasis on forecasting authorization balances through the end of the fiscal year.
2. Budgeting - Annual preparation of the operating and capital budget request for the entire department.
3. Fiscal and Accounting - Perform all accounting functions for the department with centralized accounts payable/receivable, review and payment of professional services contracts; federal grant and sub-grant reporting.
4. Personnel and Payroll Support - Personnel and payroll management; training in personnel management; assisting managers and supervisors with employee relations and position review and classification; monitoring and providing advice about compliance with personnel rules and labor relations rulings.
5. Procurement - Manage the procurement process for outside legal counsel and expert contracts as well as property control and centralized supply purchases.
6. Timekeeping - Calculate and revise the federally approved cost allocation plans and the department's attorney and paraprofessional rate structure; manage the Civil Division's full-time attorney and paraprofessional time reporting system; generate client billings.
7. Information Services - Provide computer hardware and software support to each of over 430 computer end-users located in Anchorage, Juneau, Fairbanks, Palmer, Kenai, Bethel, Ketchikan, Kodiak, Nome, Barrow, Dillingham, Kotzebue and Sitka. This support includes: network support, application maintenance and support, and hardware and software installation. In addition the Section provides individual assistance when necessary and presents occasional formal training. Other services provided by the section include web development, technical liaison on projects involving other public agencies, special projects, and service on statewide technical committees that establish the foundations for state government digital communication.

Component Goals and Strategies

1. Inform and assist the Attorney General, the Deputy Attorneys General, and other department managers in the management of resources by accurately monitoring and forecasting departmental expenditures and the complexity of revenue fund sources in the face of unexpectedly changing litigation demands.

2. Beginning in FY2001, the first session of semi-annual administrative training was completed in Anchorage and Juneau. Future training sessions will include Anchorage, Fairbanks, and Juneau with outlying offices participating by sending staff to one of these locations. This training is designed to provide nearly all employees with basic information regarding state and department policies and procedures on travel, procurement, computer networks and desktop support, timekeeping and personnel. With the Administrative Services Division centralized in Juneau, effectively communicating policy and procedure became an issue, especially with frequent turnover of support staff positions in the Civil and Criminal Divisions. We are experimenting with the classroom style approach, and a consistent curriculum delivered on a regular basis in the hope that it will increase understanding of and adherence to the rules and guidelines that govern many of our business processes.

In conjunction with the statewide training effort described above, the Administrative Services Division plans to launch its own pages to the Department of Law web site. The web pages will allow department employees easy access to Law's intranet site with descriptions of Administrative Services sections and their functions, and the names of the employees chiefly responsible for performing those functions. We will provide direct links to the State's Administrative Manual which codifies many of the administrative policies and procedures governing state administrative functions.

3. The CRIMES system (Criminal Records Information Management and Exchange System) is used for tracking all department actions relating to prosecution. The CRIMES system is currently made up of three Oracle database servers located in Anchorage, Fairbanks and Juneau. CRIMES is a "fat client" database that both tracks information and allows users to generate court documents from the database. While the three existing servers handle all criminal cases, the original plan remains incomplete. The long-range goal is to distribute the CRIMES system to all District Attorney offices in the state, a plan that would involve as many as 12 more servers. The architecture calls for replication among all sites, so that all sites have the complete database. This is essential for quickly researching criminal history, a necessary part of deciding what charges should be filed.

4. The Human Resources section is involved in a classification study of state legal support occupations. This study encompasses positions in the Departments of Law and Administration and the Office of the Governor, as well as individual positions in three other departments.

The primary goal of the study was to develop a more effective career path for legal secretaries by establishing an entry, journey and lead/advance level job class, as well as a new law office support manager job class. The project will also undertake a salary study to determine the appropriateness of current levels of compensation for state legal secretaries.

Increasing recruitment and retention problems have made it difficult for the state to retain and attract experienced secretaries and legal support workers. By creating a specialized legal support career path, it is hoped that our growing attrition issues will stabilize. A study of this occupation group has not occurred since the early 1970's. The occupational descriptions were wholly outdated and the distinguishing characteristics of the legal secretary job classes did not reflect current technology or work methods.

The class study is now in the final stages of completion. The department expects to have the final classification design completed by mid-December, 2000, for circulation to affected departments, individuals and the union for review and comment. The department anticipates that final study results and recommendations for implementation of specific findings will be forwarded to the state Director of Personnel by not later than January 31, 2001.

Key Component Issues for FY2001 – 2002

Increasing the quality and value of services with a status quo budget and staffing levels while coping with rapid changes in technology and increasing administrative demands.

Major Component Accomplishments for FY2000

Fiscal

- Deposit procedures written (FY2001 implementation) and necessary sub-accounts requested for outlying offices.
- Obtained purchasing card allowing procurement staff to order supplies and equipment and receive a bill, much as a credit card works.

Information Technology

- Conducted comprehensive testing of Department of Law systems, prepared contingency plans and status reports as part of a statewide effort to prepare for the year 2000. Statewide, only minor Y2K problems were experienced.

As a result of the preparedness effort, the department has a disaster plan that will be effective into the future should any mission critical systems fail.

- Status of CRIMES: The CRIMES system may appear to be at a plateau, but important developments have made the system more usable and reliable.

1) Operating System migration: In FY 2000 we began migrating the first of the three CRIMES servers to a server operating system that will provide more dependable synchronization between the various servers, and will result in quicker problem resolution by the vendor. (The reason has more to do with the vendor's familiarity with the replacement operating system than with the relative merits of the products.) Migration of the other two servers will proceed in FY 2001.

2) Bandwidth Enhancements: Department of Law, along with other criminal justice agencies, have been successful in negotiating for increased bandwidth for DA office sites. Increased bandwidth was provided for several of the CRIMES links in FY 2000, with more to follow. This will increase the effectiveness of the CRIMES replication model.

3) Programming changes: The development team has been refining the document generation capabilities and fixing reported problems. As a result, users encounter fewer serious obstacles and are finding that the program is more of a solution than an obstacle.

4) User hardware: The Criminal Division has purchased adequate personal computers for those most involved in using CRIMES. The "fat client" architecture is demanding on the workstation used by the CRIMES user, and we have found that the information rich CRIMES screens require a larger monitor for efficient use.

While CRIMES has not shown a great deal of outward change in the past year, the system has become truly usable, responsive, and acceptable to the user group. The most recent server operating system changes have positioned the project to proceed. Throughout all of this, CRIMES has continued as our production system for tracking prosecutor actions.

Human Resources

- The Human Resources Section has completed the largest part of the work associated with the Legal Secretary Classification study. See discussion in Goals/Strategy.

Statutory and Regulatory Authority

AS 44.23.020

Administrative Services

Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	971.8	1,090.8	1,102.1
72000 Travel	9.0	7.8	7.8
73000 Contractual	86.2	84.3	81.7
74000 Supplies	24.9	18.9	46.0
75000 Equipment	4.4	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,096.3	1,201.8	1,237.6
Funding Sources:			
1004 General Fund Receipts	499.0	509.3	507.3
1005 General Fund/Program Receipts	46.2	46.2	50.5
1007 Inter-Agency Receipts	551.1	641.7	679.8
1053 Investment Loss Trust Fund	0.0	3.6	0.0
1108 Statutory Designated Program Receipts	0.0	1.0	0.0
Funding Totals	1,096.3	1,201.8	1,237.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	551.1	641.7	630.3	679.8	679.8
General Fund Program Receipts	51060	46.2	46.2	46.2	50.5	50.5
Statutory Designated Program Receipts	51063	0.0	1.0	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	3.6	0.0	0.0	0.0
Restricted Total		597.3	692.5	676.5	730.3	730.3
Total Estimated Revenues		597.3	692.5	676.5	730.3	730.3

Administrative Services**Proposed Changes in Levels of Service for FY2002**

An additional accounting clerk is requested through funds requested in the Civil Division's Collections unit for the Victim Restitution Project.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	559.1	0.0	642.7	1,201.8
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.0	0.0	-1.0	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-2.3	0.0	-5.4	-7.7
Proposed budget increases:				
-Victim Restitution Project Accounting Clerk Position and Funding	0.0	0.0	43.5	43.5
FY2002 Governor	557.8	0.0	679.8	1,237.6

Administrative Services**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	18	19	Annual Salaries	850,624
Part-time	1	1	COLA	13,910
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	283,464
			<i>Less 4.00% Vacancy Factor</i>	(45,920)
			Lump Sum Premium Pay	0
Totals	19	20	Total Personal Services	1,102,078

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Clerk I	0	0	1	0	1
Accounting Clerk II	0	0	1	0	1
Accounting Spvr II	0	0	1	0	1
Accounting Tech I	0	0	2	0	2
Administrative Clerk II	0	0	1	0	1
Administrative Svcs Mgr	0	0	1	0	1
Division Director	0	0	1	0	1
Human Resources Mgr II	0	0	1	0	1
Micro/Network Spec I	1	0	1	0	2
Micro/Network Spec II	1	0	0	0	1
Micro/Network Tech I	1	0	1	0	2
Micro/Network Tech II	1	0	1	0	2
Personnel Asst I	0	0	1	0	1
Personnel Specialist I	0	0	1	0	1
Procurement Spec I	0	0	1	0	1
Program Budget Analyst III	0	0	1	0	1
Totals	4	0	16	0	20

Component: Unallocated Reduction

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Component Mission

No mission statement.

Component Services Provided

No services provided.

Component Goals and Strategies

No goals and strategies.

Key Component Issues for FY2001 – 2002

No key issues.

Major Component Accomplishments for FY2000

No major accomplishments.

Statutory and Regulatory Authority

No statutes and regulations.

Unallocated Reduction
Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	0.0	0.0	0.0
72000 Travel	0.0	0.0	0.0
73000 Contractual	0.0	0.0	0.0
74000 Supplies	0.0	0.0	0.0
75000 Equipment	0.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	0.0	0.0	0.0
Funding Sources:			
None.			
Funding Totals	0.0	0.0	0.0

Unallocated Reduction**Proposed Changes in Levels of Service for FY2002**

No service changes.

Summary of Component Budget Changes**From FY2001 Authorized to FY2002 Governor***All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	0.0	0.0	0.0	0.0
FY2002 Governor	0.0	0.0	0.0	0.0

Unallocated Reduction**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	0	0	Annual Salaries	0
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	0
			<i>Less % Vacancy Factor</i>	()
			Lump Sum Premium Pay	0
Totals	0	0	Total Personal Services	

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
No personal services.					
Totals	0	0	0	0	0